
(2019) 12 PAT CK 0088

In the Patna High Court

Case No : Criminal Miscellaneous No. 78117 Of 2019

Ratnesh Pandey @ Ratensh Pandey

APPELLANT

Vs

State Of Bihar

RESPONDENT

Date of Decision : 09-12-2019

Acts Referred:

Indian Penal Code, 1860 — Section 394

Citation : (2019) 12 PAT CK 0088

Hon'ble Judges : Ahsanuddin Amanullah, J

Bench : Single Bench

Advocate : Ashok Kumar Sinha, Md. Arif

Final Decision : Disposed Of

Judgement

1. Heard learned counsel for the petitioner and learned APP for the State.
2. The petitioner seeks bail in connection with Keshariya PS Case No.552 of 2018 dated 27.12.2018 instituted under Section 394 of the Indian Penal Code.
3. Though the petitioner is not named in the First Information Report, but the allegation is that three persons had initially taken away the motorcycle of the informant and thereafter the motorcycle was left, but rupees sixty thousand from the dicky was taken away. The petitioner has been made accused on the basis of confessional statement of the co- accused.
4. Learned counsel for the petitioner submitted that there has been no recovery from him. Learned counsel further submitted that though there is one other case, but he is on bail in the same and in the present case, because of rivalry he has been made accused. It was submitted that the petitioner is in custody since 24.07.2019.
5. Learned APP submitted that the arrested person has named the petitioner of being also involved in the crime.
6. Considering the facts and circumstances of the case and submissions of

learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bond of Rs.25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, 3rd, East Champaran, Motihari, in Keshariya PS Case No.552 of 2018, subject to the conditions (i) that one of the bailors shall be a close relative of the petitioner (ii) that the petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner. The petitioner shall also give an undertaking to the Court that he shall not indulge in any criminal activity. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or being absent on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

7. The application stands disposed off.