

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39822 of 2017

Arising Out of PS.Case No. -570 Year- 2016 Thana -MOHANIA District- BHABHUA (KAIMUR)

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Manish Singh @ Manish Kumar Son of Upendra Kumar Singh@ Upendra Singh@ Rawan Kumar Resident of Village- Amari, Police Station- Mohania, District- Kaimur at Bhabua.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj
For the Opposite Party/s : Mr. Sri Parmanand Kumar

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 31-10-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Mohania P.S.
Case No.570 of 2016 for offences punishable under Section 395 of
the Indian Penal Code.

The prosecution case, as lodged by the informant who
is driver of the bus, is that some miscreants six in number entered
the bus and looted away the belongings and valuable of the
passengers and fled away in their motorcycles.

It has been submitted by the learned counsel for the
petitioner that he is innocent, not named in the F.I.R. and his name
surfaced only on the basis of his own confessional statement
before the police as well as the identification made by the



conductor Ras Bihari Singh after six months of the alleged occurrence in the market place. He submits that on similar allegation two identified accused persons have been granted the privilege of bail by this Court in Cr. Misc. No. 36125 of 2017 on 19.09.2017 and Cr. Misc. No. 39925 of 2017 on 12.10.2017.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner does not have a clean criminal antecedent.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur at Bhabua in connection with Mohania P.S. Case No. 570 of 2016, subject to the conditions that:

- (1) One of the bailors shall be a close relative of the petitioner.
- (2) That the petitioner shall not indulge in any similar offence till conclusion of the trial.
- (3) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned court concerned.
- (4) The petitioner shall cooperate with the investigation, if not



already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Nilu Agrawal, J)

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