

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1704 of 2018

Arising Out of PS.Case No. -101 Year- 2017 Thana -BAHADURPUR District- PATNA

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Manoj Kumar, Son of Madan Mandal, resident of Village- Daulatpur,
Ward No. 1, Police Station- Jamui, District- Jamui.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar

For the Opposite Party/s : Mr. Sri Brajendra Nath Pandey

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 17-01-2018 Heard learned counsel for the petitioner and learned
APP for the State.

This is the second round of litigation. Earlier prayer for
bail of the petitioner was rejected by this Court vide order dated
18.10.2017 passed in Cr. Misc. No. 42236 of 2017.

Petitioner is languishing in judicial custody since
31.05.2017 in connection with Bahadurpur P.S. Case No. 101 of
2017 read with G.R. No. 1866 of 2017 for offences punishable
under Sections 420, 467, 468, 471 and 120 B of the Indian Penal
Code.

The prosecution case, as lodged by the police
personnel, is that the petitioner was apprehended by the police
along with one other and from the possession of the petitioner



some cash and A.T.M. cards were recovered. The petitioner and other accused persons alleged to be members of the gang who would dupe the ordinary citizens and took out money from the A.T.M. and also would make them invest on the pretext of quick returns.

It has been submitted by the learned counsel for the petitioner that he is innocent, no person has come out that the petitioner has cheated them and that the petitioner bears no criminal history. He submits that charges have been framed and the petitioner undertakes to cooperate in the trial on day to day basis.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner is member of the gang duping the people of money.

Considering the facts and circumstances and the materials on record as well as the undertaking of the petitioner, 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 Judicial Magistrate, Patna City, District-Patna in connection with Bahadurpur P.S. Case No.101 of 2017 read with G.R. No. 1866 of 2017, subject to the conditions that:



- (1) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.
- (2) Petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

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