

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61989 of 2017

Arising Out of PS.Case No. -119 Year- 2017 Thana -TAJPUR District- SAMASTIPUR

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1. Manish Kumar, Son of Lalu Singh, Resident of Village- Mukundpur
Sighara, Police Station- Mahua, District- Baishali (Vaishali).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Sri Satyendra Prasad

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 10-01-2018 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is in custody on his remand since
02.05.2017 in connection with Tajpur (Waini) P.S. Case No.
119 of 2017 registered for the offences punishable under
Sections 307, 353/34 of the Indian Penal Code and Section 27
of the Arms Act.

Learned counsel for the petitioner submits that for
the same occurrence, three F.I.Rs have been lodged in which
one Tajpur P.S. Case No. 116 of 2017 was registered for the
offences punishable under Sections 395, 397 and 412 of the
Indian Penal Code. He further submits that the allegation
against the petitioner as per F.I.R., is that he was arrested by the



villagers and the police personnel after having committed dacoity by snatching one Bolero, which was chased by the police patrolling car and while the petitioner along with other accused persons were escaping, the said Bolero met with an accident and the petitioner was arrested on the spot. He further submits that the present petitioner is only an employee of Line Hotel and he had gone to see the occurrence and was falsely implicated in the present case. He further submits that though the occurrence is of 23.04.2017, but the F.I.R. in the present case was lodged on 26.04.2017 and placed before the court on 01.05.2017, after which he remained in custody in connection with the present case. He thus submits that the entire F.I.R. in the present case has been lodged after plugging all the loopholes of the earlier case. He further submits that in connection with Tajpur P.S. Case No. 116 of 2017, the petitioner has been granted privilege of regular bail in Criminal Miscellaneous No. 44222 of 2017 vide order dated 06.11.2017.

Considering the entire facts and circumstances of the case and that the allegations in both the cases are virtually similar, let the petitioner be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions



Judge, Samastipur in connection with Tajpur (Waini) P.S. Case No. 119 of 2017 on the following condition;

- (1) One of the bailors will be his own relative, namely, father, mother, brother, sister and/or their wife.
- (2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.
- (3) 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 reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.
- (4) The petitioner shall co-operate 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.

(Anjana Mishra, J)

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