

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.64459 of 2018

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1. Manoj Kumar @ Manoj Verma, Son of Late Shiv Kumar Prasad,
Resident of Near Power House Karbighiya, P.S.- Jakkanpur, District- Patna,
Permanent add Islampur Bazar, P.S.- Islampur, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 05-11-2018 Heard the parties.

The petitioner seeks regular bail in connection with Kadamkuan P.S.Case No.402 of 2018 registered for offences punishable under Sections 420 and 379/34 of the Indian Penal Code and Section 395 of the IPC.

Allegation against the petitioner as per FIR which has been lodged on the basis of information given by an employee of K.V. & sons that the informant with Vinesh Bhai Jhanjmeriya collected gold and gave sample jewellerys to the Jewellers and on 13.4.2018 he was going to Station to catch the train, two persons showing them as police personnel looted away the jewellery from the possession of the informant weighting 5 kg., 300 gram of gold and 206 gm. of sample jewellery and the petitioner was arrested



and some ornaments were recovered from his possession.

Submission of the learned counsel for the petitioner is that the petitioner works in the shop of his brother who is gold smith and he was carrying jewelleryes . Further submission is that he is in custody since 3.8.2018 and he has been falsely implicated in this case and brother of the petitioner has also made complaints before the Sr.S.P., Patna. It is further submitted that the petitioner has no criminal antecedent. TIP of the articles has not been made. The charge-sheet has already been submitted.

Heard learned A.P.P., who has opposed the prayer for bail stating that there is recovery of the jewelleryes from the possession of the petitioner and the materials in the case diary discloses that he was in touch with the other co-accused persons, which will appear from the CDR of the Mobile of the accused petitioner.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM VII, Patna District Patna in connection with Kadamkuan P.S.case No.402 of 2018.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within



- the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
 - (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and in the event of failure to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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