

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72295 of 2018

Arising Out of PS. Case No.-73 Year-2018 Thana- AKBARPUR District- Nawada

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Manish Kumar @ Mantu Kumar @ Manish, Son of Krishna Prasad,
Resident of Village- Mahuli, P.S.- Nawada, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Man Mohan Kumar

For the Opposite Party/s : Mr. Sri Nityanand

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 20-12-2018

Heard learned counsel for the parties.

Petitioner seeks bail in Akbarpur P.S. Case No. 73 of
2018 registered for the offence punishable under Sections 394
of the Indian Penal Code.

The informant who is brother of the owner of the truck
has alleged that on 17.03.2018, the driver Jugesh Kumar after
unloading the goods from truck at Malsalmi, Patna was
returning to Tilaiya. On 18.03.2018, the driver informed the
informant that on 17.03.2018 at 11.30, 3 to 4 persons came and
parked indica vehicle in front of the truck and overpowered the
driver on the point of arms and accused persons took away the
truck and thereafter, driver and cleaner were compelled to get
down from the vehicle. The accused persons also took Rs.



55000/- forcibly from the pocket of the driver.

It has been submitted on behalf of the petitioner that he is not named in the F.I.R. and has falsely been implicated in this case. It has further been submitted that nothing incriminating article was recovered from the possession of the petitioner and only on the basis of suspicion, the petitioner has been remanded in this case. Petitioner is in custody since 23.06.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, 1, Nawada in connection with Akbarpur P.S. Case No. 73 of 2018 with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case,



prosecution will be at liberty to move for cancellation of
bail of the petitioner.

(S. Kumar, J)

Sanjay/-

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