

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.561 of 2019

Arising Out of PS. Case No.-145 Year-2018 Thana- DEWARIA District- Muzaffarpur

Manish Kumar, age about 35 years, Male, Son of Sharma Rai, Resident of
Village- Bangra Muza, Police- Station- Deoria, District- Muzaffarpur.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Alok Kumar Alok, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 31-01-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 356, 379, 354/34 of the Indian Penal Code
registered in connection with Deoria P.S. Case No. 145 of 2018.

3. It is submitted that the petitioner has been falsely
implicated in the backdrop of a dispute that the petitioner's father,
who was a Guard of the Forest Department, had earlier desisted the
informant's husband from cutting green trees from the road side and
selling the same. The petitioner claims clean antecedents. In any case
and without prejudice, the petitioner expresses his readiness to
deposit 1/4th of the amount of Rs. 43,700/- said to have been
snatched from the informant.

4. Be that as it may, in the event of the petitioner's arrest
or surrender before the court below within six weeks from the date of
communication of this order, let the above named petitioner be
released on provisional bail on furnishing bail bond of Rs.10,000/-
(ten thousand) with two sureties of like amount each to the
satisfaction of Ms. Priti Kumari, learned Judicial Magistrate, 1st



Class, Muzaffarpur in connection with Deoria P.S. Case No. 145 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and with further conditions –

(i) That the provisional bail granted to the petitioner shall be confirmed on the condition that the petitioner shall deposit 1/4th of the amount said to have been snatched from the informant i.e. Rs. 10,925/- in the court below, which shall abide by the final result of the trial.

(ii) That one of the bailors shall be a close relative of the petitioner.

(iii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(vi) 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.

(v) That 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.

BT/Chandran

(Vikash Jain, J)

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