

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36760 of 2019

Arising Out of PS. Case No.-219 Year-2018 Thana- MANJHAGARH District- Gopalganj

ARUN KUMAR GIRI @ ARUN GIRI, aged about 24 years, Male, Son of
Beer Bahadur Giri, Resident of Village - Baikunthpur Ke Mathiya, P.S.-
Manjhagarh, District – Gopalganj ... Petitioner

Versus

The State of Bihar ... Opposite Party/s

Appearance :

For the Petitioner : Mr. Amit Kumar Rakesh, Adv.

For the Opposite Party : Mr. Gulnar Begum, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 19-06-2019 Heard the learned counsel for the petitioner and the
learned Additional Public Prosecutor appearing for the State.

The petitioner is languishing in judicial custody since
22.07.2018 in connection with Manjhagarh P.S. Case No. 219 of
2018 for the offences alleged under Sections 413, 414, 420, 467,
468, 471 and 34 of the Indian Penal Code.

The prosecution case, as lodged by the police
personnel, is that as per the secret information raid was
conducted on persons concealing stolen motorcycles and large
number of persons were apprehended in various rounds of raids
from whom stolen motorcycles were recovered. The petitioner
was also apprehended and on his confession two stolen
motorcycles were recovered who was alleged to be kingpin.
Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the



petitioner that he is innocent, nothing has been recovered from his conscious possession and has been falsely implicated in the aforesaid case. It has, further, been submitted that the petitioner is languishing in judicial custody since nearly eleven months, charge sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses.

However, the learned Additional Public Prosecutor for the State opposes the prayer for bail stating therein that the petitioner does not bear a clean antecedent and three more cases of similar nature are pending against him.

Considering the nature of allegations, the period of custody and that the charge sheet has already been submitted, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Manjhagarh P.S. Case No. 219 of 2018 to the satisfaction of the learned Chief Judicial Magistrate, Gopalganj, or the successor Court, subject to the following conditions :

(i) 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.

(ii) 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.

(iii) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned Court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

Shamshad/-

U			
---	--	--	--

