

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39275 of 2019**

Arising Out of PS. Case No.-23 Year-2018 Thana- PUWAKHALI District-
Kishanganj

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MANOJ KUMAR @ MANOJ @ MANOJ KUMAR HARIJAN, aged abut 38
years, male, S/o Tapwa Harijan R/o village- Kathalbari, P.S.- Bahadurganj,
District- Kishanganj

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Ram Prawesh Kumar, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 02-07-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 379 of the Indian Penal Code registered in
connection with Powakhali P.S. Case No. 23 of 2018.

3. It is submitted that the petitioner has been falsely
implicated and the petitioner is not named in the F.I.R.
Petitioner's name has surfaced on the confessional statement of
co-accused Sahanwaj, except which there is no objective material
to connect the petitioner with the alleged occurrence. No
recovery has been made from his conscious possession.

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 bail on furnishing bail bond of
Rs.10,000/- (ten thousand) with two sureties of like amount each
to the satisfaction of learned Sri D.K. Pandey, Judicial Magistrate



Ist, Kishanganj in connection with Powakhali P.S. Case No. 23 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions -

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

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

(iii) 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.

(iv) 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.

(Vikash Jain, J)

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