

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)  
CRIMINAL MISCELLANEOUS No.30449 of 2020**

Arising Out of PS. Case No.-440 Year-2019 Thana- MOTIHARI MUFASIL District- East  
Champaran

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MANOHAR SAHANI Manohar Sahani R/o Vill.-Bhataha, P.S.-Muffasil,  
Motihari, District-East Champaran, Motihari

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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**Appearance :**

For the Petitioner/s : Mr.Rajesh Kumar, Advocate

For the Opposite Party/s : Mr. Sanjay Kr. Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD  
ORAL ORDER**

2      23-11-2020                      Learned counsel for the petitioner undertakes to  
  
remove all the defects as pointed out by office within four  
  
weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr.  
Sanjay Kr. Singh, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in  
connection with Muffasil P.S. Case No. 440/2019 registered for  
the offences punishable under Section 392 of the Indian Penal  
Code.

The name of petitioner has transpired in the  
confessional statement of the co-accused. It is alleged that in  
course of investigation one fancy colour black bag and one book  
of Shrimad Bhagwat Geeta have been recovered from the house  
of the petitioner. The submission of the petitioner is that he has



been falsely implicated and nothing incriminating has been recovered from the possession of the petitioner and further that he is in jail in connection with this case since 21.09.2019.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner but considering the facts and circumstances of the case wherein it appears that the petitioner was not identified on the spot, his name has transpired in the confessional statement of the co-accused and he is in custody since 21.09.2019, in the two cases against him, as stated in paragraph '3', he is on bail and there is no submission on behalf of the State that his release at this stage is likely to result in tampering with the evidence or interfering with the course of trial, let the petitioner above named be released on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari, in connection with Muffasil P.S. Case No. 440/2019, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence



similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner.

And further condition that he will abide by and observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic.

**(Rajeev Ranjan Prasad, J)**

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

