

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)  
CRIMINAL MISCELLANEOUS No.32593 of 2020**

Arising Out of PS. Case No.-11 Year-2020 Thana- SARSI District- Purnia

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Md. Kapil Mansuri, Son of Badrul Mansuri, Resident of Village Kukron  
Amari, P.S. Dhamdaha, District – Purnea. ... .. Petitioner  
Versus

The State of Bihar ... .. Opposite Party

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**Appearance :**

For the Petitioner/s : Mr.Ajit Kumar Singh, Advocate  
For the Opposite Party/s : Ms. Sahin Begum, A.P.P.

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

2      08-12-2020                      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 Ms. Sahin Begum, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Sarsi P.S. Case No. 11 of 2020 registered for the offences under Sections 379, 411 and 414 of the Indian Penal Code.

As per the prosecution story the informant who is Officer-in-Charge of Sarsi Police Station was on patrolling duty heard the sound of breaking of lock near the hotel, when he reached there and on chase one person was apprehended who disclosed his name Md. Mansuri and in presence of witnesses bag of Mansuri was searched in which some articles were recovered.

Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. Learned counsel submits that the petitioner was neither caught while committing theft nor anything was recovered from his conscious possession. The petitioner is in jail since 11.01.2020.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein this petitioner has remained in jail since 11.01.2020 and in the two cases against him he is on bail and there being no submission 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 Sri Rohit Kumar, Judicial Magistrate 1<sup>st</sup> Class, Purnea in connection with Sarsi P.S. Case No. 11 of 2020, 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)**

vats/-

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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'.

