

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No 85033 of 2019**

Arising Out of PS. Case No.-147 Year-2019 Thana- NAUTAN District- West Champaran

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Mankeshwar Kumar @ Mankesh Prasad @ Mankesh Kumar Son of Virendra Prasad @ Birendra Prasad Resident of Village - Noneya, P.S.- Paharpur, Distt - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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| For the Petitioner/s :     | Mr.Ashok Kumar |
| For the Opposite Party/s : | Mr.Binod Kumar |

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**CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD**

**ORAL ORDER**

**2      07-01-2020**              Heard learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks bail in Nautan (Jagdishpur)Police Station (for brevity, *PS*) Case No 147 of 2019 dated 12.04.2019 instituted for the offence punishable under Section (s) 399, 402, 414 of Indian Penal Code and Section 25 (1-b) a, 26, 35 of Arms Act.

Prosecution case is that upon information regarding assembly of some miscreants for the purposes of plotting crime, the police officials have gone to the Upgraded Middle School at Jagdishpur and two out of five miscreants have been arrested.



From them, loaded country made pistols, live cartridges and motorcycles have been recovered. Petitioner's name has been roped in this case on the basis of statement of two apprehended co-accused persons without there being any recovery from him. On the basis of statement of such co-accused, he is in custody since 08.08.2019. Petitioner, prior to the instant case, had no criminal antecedent though subsequently he has been implicated in another case also.

Learned APP for the State has opposed the prayer.

Considering the aforesaid, let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, West Champaran, Bettiah in connection with Nautan (Jagdishpur) PS Case No 147 of 2019 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each



date and if he fails to do so on two consecutive dates, his bail  
bond will be liable to be cancelled.

(Madhuresh Prasad, J)

M.E.H./-

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