

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12103 of 2021**

Arising Out of PS. Case No.-886 Year-2019 Thana- MADHAURAH District- Saran

Bablu Manjhi @ Bablu Bihari Aged About 25 Years Son Of Birendra Manjhi
A Resident Of Village - Asaw, P.S. - Marhowrah, District - Saran.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Harish Kumar, Advocate

For the Opposite Party : Mr.BMP Sinha, Addl Public Prosecutor

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 25-06-2021 Heard learned counsel for the petitioner and the State.

Learned counsel for the petitioner is permitted to correct
the Police Station case number mentioned in the bail petition.

The petitioner prays for grant of regular bail in a case
registered for the offence punishable under section 414 of the
Indian Penal Code.

As per the prosecution case, on the information received
to the police to the effect that petitioner is engaged in sale of
stolen motorcycles, a raid was conducted and a white colour
motorcycle was recovered from his Dalan. Petitioner did not
hand over the papers of the motorcycle to the police.

Learned counsel for the petitioner submits that the
recovery has been made from Dalan which is easily accessible
to the villagers and not from the conscious possession of the



petitioner. Petitioner is no way concerned with the said motorcycle as the same might have been parked by some other person. Charge sheet has already been submitted. Petitioner has claimed clean antecedent and he is in custody since 3.10.2020.

Learned counsel for the State opposes the prayer for bail.

Considering the rival submissions of the parties, materials available on the record and the fact that no incriminating material has been recovered from the conscious possession of the petitioner and he has got clean antecedent, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Chapra in Marhowrah Police Station Case No. 886 of 2019 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move
for cancellation of bail.

(Prabhat Kumar Singh, J)

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