

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15027 of 2021

Arising Out of PS. Case No.-293 Year-2019 Thana- CHANPATIA District- West Champaran

MANTU SAH Son of Late Mangal Sah Resident of Village - Balua
Rampurwa, P.S.- Bairiya, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Adv.

For the Opposite Party/s : Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 05-10-2021 Heard learned counsel for the parties.

Learned counsel for the petitioner, by way of supplementary affidavit, submits that in para-1 of the main application Chanpatiya P.S. Case No. 299 of 2019 has been wrongly typed in place of Chanpatiya P.S. Case No. 293 of 2019.

Let it be so corrected and read accordingly.

Learned counsel for the petitioner undertakes to remove the defects within three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in a case registered for the offence punishable under Sections 379/120B/34 of the Indian Penal Code.

As per the prosecution case, some unknown



miscreants stolen away A.T.M. machine, installed at Tikuliya Chowk, containing Rs. 28,83,400/-

Learned counsel for the petitioner submits that petitioner is innocent, not named in the FIR and has been falsely implicated in this case. He submits that similarly situated co-accused has been granted bail by a coordinate Bench of this Court in Cr. Misc. No. 17367 of 2021 on 08.07.2021. He further submits that petitioner bears three criminal antecedent as stated in para-3 of the bail application and he is languishing in judicial custody since 04.12.2019.

Considering the facts and circumstances of the case and the fact that similarly situated co-accused has been granted bail, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Chanpatia P.S. Case No. 293 of 2019, subject to the conditions:

(1) that one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to who he is related with the petitioner. He 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 and every date fixed in the case and if he fails to do so on two consecutive dates his bail bonds shall be liable to be cancelled.

(III) that the petitioner will mark his attendance in the local police station in the first week of every month till conclusion of trial, failing which the prosecution will be at liberty to move cancellation of his bail bond.

(IV) that the bailor shall also stated on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

(V) that petitioner will appear before the concerned P.S. once in a month till conclusion of trial.

(Anjani Kumar Sharan, J)

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