

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19394 of 2021

Arising Out of PS. Case No.-314 Year-2019 Thana- SAHEBPUR KAMAL District-
Begusarai

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Manish Kumar Son Of Narendra Yadav @ Narad Yadav R/O Chharrapatti
(SRI Nagar) P.S- Sahebpur Kamal, Dist- Begusarai

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Hare Krishna Prasad, Advocate

For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 07-10-2021 Heard learned counsel for the petitioner and Mr.
Akhileshwar Dayal, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail in connection with Sahebpur Kamal P.S. Case no. 314 of 2019 registered for the offence under Section 392 of the Indian Penal Code. He is in custody since 04.12.2019. Petitioner has got three criminal antecedents in which he is on bail.

As per the prosecution story, the informant alleged that on 24.10.2019 he was carrying Banana in his pickup Van, when he stopped his vehicle for checking, suddenly four unknown persons on three motorcycles came there and started beating the informant and snatched his mobile and Rs. 8000/- from his purse. The informant further alleged that the three persons had taken away his pickup Van towards Ballia. One



motorcycle was blue colour and looks like Appache or Pulsur.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case, petitioner is not named in the First Information Report, his name has transpired in course of investigation but nothing has been recovered from his possession, however he is in custody since 04.12.2019.

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 court has noticed the submission of learned counsel for the petitioner that the petitioner is not named in the First Information Report, his name has transpired in course of investigation but nothing has been recovered from his possession and the Pulsur Motorcycle which was allegedly used in the crime was recovered from the possession of the co-accused Birendra Yadav, the petitioner has not been put on Test Identification Parade and the said Birendra Yadav has already been granted bail by a learned coordinate Bench of this Court in Cr. Misc. No. 23177/2020, petitioner has got three criminal antecedents and it is stated that he is on bail in all those cases, so far as this case is concerned, he is in custody since



04.12.2019 and investigation against him is complete, this court directs release of the petitioner above named 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, Begusarai in connection with Sahebpur Kamal P.S. Case No. 314 of 2019, subject to the condition as laid down under Section 437 (3) Cr.P.C.

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. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(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'.

