

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30192 of 2020

Arising Out of PS. Case No.-519 Year-2019 Thana- PURNEA SADAR District- Purnia

MANOJ KUMAR CHOUHAN, Son of Late Ratan Chouhan @ Late Ratan Kumar Chouhan, Resident of Village- Abdulla Nagar, Ghosh Para, Khuskibagh, Police Station- Sadar, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Helal Ahmad
For the Opposite Party/s : Mr.Anil Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 06-01-2021 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case registered for the offence punishable under Sections 457 and 380 of the Indian Penal Code.

Allegedly, having locked the house, the informant had gone to village for watching Durga Puja. When he returned he found the lock of his house broken and some belongings including mobile, ornaments etc. were found to be stolen away.

Learned counsel for the petitioner submits that there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is in custody since 03.12.2019. Charge sheet has already been submitted. The petitioner is not named in



the FIR. The name of the petitioner transpired on the basis of confessional statement of co-accused namely Sohail Khan @ Bhultto Khan. He has already been granted bail by a Co-ordinate Bench of this Court vide order dated 02.06.2020 passed in Cr. Misc. No. 16878/2020.

Learned APP for the State opposes the prayer for bail petition.

In the aforesaid facts and circumstances, let the petitioner, above named, be released on bail **after framing of the charge** on furnishing bail bond of Rs. 25,000/- (rupees twenty five thousand) with two sureties of the like amount each in connection with Purnea Sadar P.S. Case No. 519/2019 to the satisfaction of the learned Chief Judicial Magistrate, Purnea, subject to the following conditions:

(1) One of the bailors will be his own blood relative, preferably, father, mother brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.



(4) The petitioner shall co-operate with the investigation, if not already concluded and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjani Kumar Sharan, J)

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