

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 30356 of 2020**

Arising Out of PS. Case No.-82 Year-2020 Thana- TEGHRHA District- Begusarai

MANTUN KUMAR Son of Awadesh Yadav Resident of Village -
Pagamberpur, (Makra Tola) P.S. - Teghara, Distt. - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Mukesh Kumar No1, Advocate
For the Opposite Party/s : Mr Fahimuddin, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

5 10-02-2021 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in Teghra Police Station (for
brevity, *PS*) Case No 82 of 2020 instituted for the offence
punishable under Section 394 of Indian Penal Code.

Two persons have allegedly stopped the informant,
while he was carrying Rs 35,000/-, on the pretext of checking
him at the Railway Crossing. Thereafter, two other persons
have come and it is alleged that they have taken away the
money from the petitioner.

Learned counsel for the petitioner submits that the
petitioner is in custody since 03.04.2020. Petitioner's
implication is on the basis of statement of the informant that he



recognizes him since before. The case is one of false implication. The petitioner is on bail in the other four cases, mentioned in paragraph 3 of the petition. It is further submitted that report received from the Court below shows that cognizance in this case has been taken on 02.01.2021. The case has been transferred and is fixed for appearance and supply of police paper. There is no considerable progress in the trial.

Learned APP has opposed the prayer for bail.

Considering the rival submissions, prayer for bail is allowed. 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, Begusarai in Teghra PS Case No 82 of 2020 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.



Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

M.E.H./-

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