

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)  
CRIMINAL MISCELLANEOUS No.39151 of 2020**

Arising Out of PS. Case No.-42 Year-2019 Thana- GORAUL District- Vaishali

Mantu Kumar, S/o Nanda Mahto, Resident of Village-Hathsarganj, P.S.-  
Hajipur Town, District-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ajay Kumar Jain, Adv.

For the Opposite Party/s : Mr.Dilip Kumar No.1, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD  
ORAL ORDER**

4      13-04-2021                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Goraul P.S. Case No.42 of 2019 registered for the offences punishable under Section 392 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is not named in the First Information Report, but later on he has been taken on remand in this case after his arrest in connection with Sarai P.S. Case No.142 of 2019. It is further submitted that the petitioner has not been put on T.I.P. and there is no recovery of any incriminating article from his possession. He is in custody in connection with this case for two years,



however, the trial in this case has yet not begun and it is not likely to be concluded in near future.

Learned APP for the State has though opposed the prayer for regular bail of the petitioner on the ground that the petitioner has got six cases on his head, considering the submission of learned counsel for the petitioner that in this case the petitioner has been taken on remand and he has remained in custody for two years, except confessional statement there is no other material against the petitioner and in the three cases stated in paragraph '3' he is said to be on bail whereas in two other cases his bail applications are pending whereas in one case he has yet not applied for bail, so far as this case is concerned, in view of the materials noticed by this Court and the custody of the petitioner, let the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-1st, Vaishali at Hajipur in connection with Goraul P.S. Case No.42 of 2019, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence



similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

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)**

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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'.

