

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 36327 of 2020**

Arising Out of PS. Case No.-116 Year-2018 Thana- MADHAURAH District- Saran

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MANNU GIRI ALIAS MONU GIRI SON OF ASHOK GIRI RESIDENT OF
VILLAGE - ACHITPUR, P.S. - ISUAPUR, DISTRICT - SARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Md Anis Akhtar, Advocate

For the Opposite Party/s : Mr Satyendra Narayan Singh, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

3 19-02-2021 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in Marhowra Police Station
(for brevity, *PS*) Case No 116 of 2018 instituted for the offence
punishable under Section 395 and 379 of Indian Penal Code.

The prosecution case is that nine anti social elements,
on three motorcycles, have looted the informant.

Learned counsel for the petitioner submits that upon
his arrest in Chapra Mufassil PS Case No 134 of 2018, which is
subsequent to the instant case, the petitioner has been remanded
in this case and six other cases. The petitioner is in custody now
since 20.06.2018. There is no recovery of any incriminating
material from the petitioner. Other than his own confessional



statement and statement of co-accused, no material has come against the petitioner in the course of investigation, to suggest his involvement. The petitioner pleads false implication.

Learned APP has opposed the prayer for bail. It is submitted that it appears from the investigation that petitioner is implicated in this case as member of a gang operating in the locality.

Considering the rival submissions and the period of custody, 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 Additional Sessions Judge IV, Saran at Chapra in Sessions Trial No 807 of 2018 arising out of Marhowra PS Case No 116 of 2018 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)

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