

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40665 of 2020

Arising Out of PS. Case No.-196 Year-2019 Thana- SAKRI District- Madhubani

MANOJ KUMAR DAS S/o Late Ramchandra Das R/o Village- Annyapur,
P.S.- Katra, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 08-04-2021 This matter is taken up for consideration through
Video Conferencing under the orders of Hon'ble the Chief
Justice.

Heard both parties.

The petitioner seeks bail in Sakari P.S. Case No. 196
of 2019, registered for the offence punishable under Sections
392/302 of the Indian Penal Code and section 25(1-b)a/27 of the
Arms Act.

As per the prosecution case, while the son of
informant was returning from bank on his motorcycle, on the
way, three unknown miscreants riding on motorcycle stopped
him and shot at his chest and snatched a bag containing Rs. 6
lakh from his possession. Later on, he succumbed to injury.

It is submitted on behalf of the petitioner that



petitioner is not named in the FIR. During course of investigation, name of this petitioner has come in this case on the basis of confessional co-accused Md. Parwej. Only material that has come during course of investigation is the CDR of mobile of petitioner, on the basis of which it is alleged that this petitioner had conversation with other accused persons at the place of occurrence. Moreover, similarly situated accused person Rakesh Kumar Sah has already been granted bail by this Hon'ble Court vide order dated 19.08.2020 passed in Cr. Misc. No. 27115 of 2020. Petitioner is in custody since 21.12.2019 having clean antecedent, as stated in para 3 of the petition.

Considering the period of custody coupled with the fact that petitioner bears clean antecedent, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhubani in connection with Sakari P.S. Case No. 196 of 2019, subject to following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates



without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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