

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39840 of 2020

Arising Out of PS. Case No.-6 Year-2017 Thana- TRIVENIGANJ District- Supaul

Manik Lal Sardar, aged about 50 years, Male, Son of Late Panchu Sardar,
Resident of Village- Parsahi, P.S.- Kumarkhad (Bhathani), Distt- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-02-2021 Learned counsel for the petitioner is permitted to
remove the defect within four weeks.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with
Tribeniganj P.S. Case No. 06 of 2017 registered for the offence
punishable under Section 392 of the Indian Penal Code.

On the basis of written statement dated 08.01.2017 of
the informant namely Jiyalal, the instant case has been
registered agaisnt 3 unknown culprits and it is alleged therein
that on 08.01.2017 at 8.15 P.M. while he was coming back to his
village from his branch office, he was robbed by 3 unknown
culprits. He further alleged that the culprits looted away cash
and mobile of Samsung Company with Sim No.9661375587 of



Airtel. He further alleged that the culprits took away his motorcycle and in the Dickey of motorcycle containing Pan Card, ATM Card, driving license, keys of branch and other papers. He further alleged that he gave information to Jadia and Tribeniganj P.S. through Mobile after the alleged occurrence.

Learned counsel for the petitioner submits that the petitioner is not named in the F.I.R. On the basis of confessional statement of the co-accused, the petitioner has been made accused in the present case. He further submits that there is no any incriminating article has been recovered from the conscious possession of the petitioner. Till date, no T.I.P. was done. Learned counsel for the petitioner further submits that similarly situated co-accused Rajesh Yadav has been granted bail by the court below itself.

Learned A.P.P. for the State opposed the bail petition.

In the facts and circumstances of the case, let the above named petitioner be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) only with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1st , Supaul in connection with Tribeniganj P.S. Case No. 06 of 2017, 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 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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