

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5739 of 2021

Arising Out of PS. Case No.-291 Year-2020 Thana- GAYA MUFASIL District- Gaya

MANISH KUMAR Son of MUNNA RAUT Residence of Village - Manpur,
Kurmi Tola, Police Station - Mufassil, District - Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Shyamal Krishna Sinha, Adv.

For the Opposite Party/s : Mr. Vinod Shankar Modi, A.P.P.

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 13-04-2021 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offences punishable under Sections 399, 402 of the Indian Penal Code and Sections 25(1-b)a, 26, 35 of the Arms Act.

According to prosecution case, having got secret information, informant along with some other police officials raided a house and apprehended the petitioner and one co-accused. One live cartridge and one mobile were recovered from possession of the petitioner.

It has been submitted on behalf of the petitioner that petitioner is innocent and has falsely been implicated in this



case. It has further been submitted that as a matter of fact, petitioner was not arrested on the alleged place of occurrence and nothing has been recovered from his conscious possession rather police caught the petitioner from his house and implicated him in the present case. Petitioner carries one criminal antecedent bearing Mufassil P.S. Case No. 148 of 2020 in which petitioner has been granted bail. Petitioner is in judicial custody since 10.08.2020.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with Mufassil P.S. Case No. 291 of 2020, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) 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.

(S. Kumar, J)

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