

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.6296 of 2021**

Arising Out of PS. Case No.-380 Year-2020 Thana- KANKARBAG District- Patna

MANISH KUMAR Son of Chandra Shekhar Singh @ Shekhar Ram Resident
of Village - Lane No.6, Chandmari Road, P.O. and P.S.- Kankarbagh, Dist.-
Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ram Ishwar Prasad, Advocate

For the Opposite Party/s : Mr. Binod Kumar, APP

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

4 30-07-2021 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by office within four

weeks after start of normal functioning of the Court.

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 Kankarbagh P.S. Case No. 380 of 2020

registered for the offences punishable under Sections

413/414/34 of the Indian Penal Code

As per the prosecution story, the informant while on

patrolling duty got secret information that this petitioner and

other co-accused have kept four stolen four-wheeler vehicles

and three stolen motorcycles at his residence. The police

reached at the house of this petitioner and inquired about the said vehicles to which he stated that he had purchased these stolen vehicles and used to run on fare. When he was asked about the papers he could not produce any valid papers and the said vehicles were seized.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is further submitted that the petitioner has got no concern with the other recovered vehicles except two motorcycles and four four-wheeler whose ownership stand in the name of the father of the petitioner and the two motorcycles have already been released in favour of the owner, further submission that the petitioner is in custody in connection with this case for one year,

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that it is a case of false implication of the petitioner, learned counsel for the petitioner points out from the statements made in the bail application as well as the supplementary affidavit filed on behalf of the petitioner that the petitioner has

got no concern with the other recovered vehicles except two motorcycles and four four-wheeler whose ownership stand in the name of the father of the petitioner and the two motorcycles have already been released in favour of the owner, further submission that the petitioner is in custody in connection with this case for one year, investigation against him is complete but the trial is not likely to take place in near future, the petitioner has got one criminal antecedent, however, he has been granted bail in the said case by a learned co-ordinate Bench of this Court in Cr. Misc. No. 34333 of 2019, in the circumstances, let the petitioner above named be released on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of Smt. Madhvi Singh, learned J.M., 1st Class, Patna in connection with Kankarbagh P.S. Case No. 380 of 2020 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.

This application stands disposed of accordingly.

(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'.