

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2394 of 2022

Arising Out of PS. Case No.-211 Year-2021 Thana- DEEPNAGAR District- Nalanda

Mantu Kumar S/o Suresh Prasad @ Narendra Prasad R/o village- Nohesa,
P.S.- Ben, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar No.1, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-05-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 411 and 413 of the Indian Penal Code.

As per prosecution case, it is alleged by the informant namely Rajdeo Paswan, that on 28.06.2021 at 10:10 O'clock he along with police official were on patrolling, received information that two stolen motorcycles standing near the house of Ramdeo Yadav in village Kako Bigha. When the informant along with police officials reached near the house of Ramdeo Yadav then one



person who standing near the motorcycle fled away to see them. On inquiry, it came to knowledge that one Mantu Kumar taking a room in the house of Ramdeo Yadav for purpose of conducting Arkestra group and use to alleged motorcycle after theft and he was indulged in selling of theft motorcycle.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. Further submits that it appears from the F.I.R. that two motorcycles has been recovered near the house of Ramdeo Yadav and nothing has been recovered from the conscious possession of the petitioner and the police only on the basis of suspicion has falsely implicated the petitioner in the present case. Police after investigation submitted chargesheet against the petitioner and the petitioner was arrested by the police in Bihar P.S. Case No. 515 of 2021 and remanded the petitioner in the present case on 17.09.2021.

Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries four more cases other than the present one.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Deep



Nagar P.S. Case No. 211 of 2021, with the following conditions :-

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

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

(3) 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.

(Rajesh Kumar Verma, J)

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