

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7537 of 2022

Arising Out of PS. Case No.-86 Year-2018 Thana- SURYAGARHA District- Lakhisarai

MANISH KUMAR @ MANISH KUMAR MANDAL @ MANISH
MANDAL S/o Parmanand Mandal Resident of Village- Champanagar,
Bengali Tola, P.S.- Nathnagar, District- Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar,Adv

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 29-06-2022 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 offence punishable under Section 392 of IPC.

As per the prosecution story while the informant was on way in the night of 27.05.2018, he was intercepted by a Scorpio vehicle and four persons boarded on the said vehicle looted away his Bolero vehicle on the point of pistol.

Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present



case. He further submits that in fact the petitioner is not named in the FIR. The name of the petitioner has been transpired on the basis of the confessional statement of co-accused, namely, Mukesh Kumar. He further submits that nothing has been recovered from conscious possession of the petitioner and till date no T.I. Parade has been conducted by the prosecution and co-accused, namely, Mukesh Kumar has been granted bail by a Coordinate Bench of this Hon'ble Court vide order dated 15.04.2021 in Cr. Misc. No. 5565 of 2021 and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 22.07.2019.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case 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/- (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 Suryagarha P.S. Case No.86 of 2018 corresponding to S.T.No.49 of 2020, 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

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

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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