

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8603 of 2022

Arising Out of PS. Case No.-190 Year-2020 Thana- SOHSARAI District- Nalanda

Manish Kumar S/O Late Viresh Yadav R/o village- Pariauna, P.S.- Noorsarai,
District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar Singh, App

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 22-06-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within four
weeks from today.

The petitioner seeks regular bail in connection with
Sohsarai P.S. Case No. 190 of 2020 instituted for the offences
punishable under Section 394 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 12.08.2021, charge-sheet has been
submitted in the case and has antecedent of seven cases.

The prosecution case, in short, is that on 19.10.2020,
three persons entered into the house of the informant through
roof. Informant was informed by his daughter and she told that
thieves have entered into the house, upon which he raised alarm.



Thereafter, two miscreants started beating him and when his wife came to rescue, she was also beaten. Thereafter, the accused persons committed theft of gold, silver, one Onida TV and two mobiles. It is further alleged that they have stolen 50,000/- Rs. cash also which was kept in a box. The accused persons locked the informant from outside while returning and one accused was aged about 30 years, other was aged about 20 years and third was aged about 25 years. All accused persons were talking in local language and the F.I.R. was lodged against three unknown persons.

Learned counsel for the petitioner submits that the petitioner is not named in the F.I.R. He has been implicated in this case on the basis of confessional statement of co-accused Rahul and others. Nothing has been recovered from the possession of the petitioner and he is in custody since 12.08.2021.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody since 12.08.2021 and charge-sheet has been submitted in the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand



only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IV, Nalanda at Biharsharif in connection with Sohsarai P.S. Case No. 190 of 2020 subject to 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) One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

(3) 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.

(Khatim Reza, J)

Gaurav Kumar/-

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