

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13191 of 2022

Arising Out of PS. Case No.-548 Year-2019 Thana- MOTIHARI MUFASIL District- East
Champaran

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Manjeet Kumar @ Pandit S/O Anand Bihari Pathak R/O village-
Chintamanpur, P.S.- Pipra, District- East Champaran at Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate
For the Opposite Party/s : Mr. Raj Kishore Singh, A.P.P

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 16-08-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks from today.

The petitioner seeks bail in connection with a case
registered for the offences punishable under Sections 395, 397
and 307 of the Indian Penal Code and Section 27 of the Arms
Act.

The F.I.R was lodged against six unknown persons
including the petitioner. Name of the petitioner surfaced in the
confessional statement of other co-accused namely, Sikindra
Sahni and Rajendra Sahani.

Learned counsel for the petitioner submits that the



petitioner is innocent and he has been falsely implicated in this case. It is further submitted that the name of the petitioner transpired in this case on the basis of confessional statement of other co-accused namely, Sikindra Sahni and Rajendra Sahani, who have been granted bail by a Co-ordinate Bench of this Court vide order dated 04.10.2021 passed in Criminal Miscellaneous No. 27456 of 2021 and order dated 03.01.2022 passed in Criminal Miscellaneous No. 24076 of 2021 respectively. Nothing has been recovered from the conscious possession of the petitioner. Till date, no Test Identification Parade (T.I.P) has been conducted. The petitioner is in custody since 06.12.2021, charge-sheet has been submitted in the case and has antecedent of two cases.

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

Considering the facts and circumstances of this case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) only with two sureties of the like amount each to the satisfaction of the learned C.J.M., East Champaran at Motihari in connection with Muffasil P.S. Case No. 548 of 2019, 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 on his absence on two consecutive dates without sufficient reason, his 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) The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

(4) 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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