

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3144 of 2022

Arising Out of PS. Case No.-578 Year-2021 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

=====

Neeraj Kumar @ Mandal Son Of Suresh Ray R/O Village- Madhopur Susta,
P.S.- Maniyari, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 15608 of 2022

Arising Out of PS. Case No.-578 Year-2021 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

=====

Ashish Kumar @ Munna Sah @ Anshu Kumar S/O- Manoj Sah Resident Of
Village- Cheharakala Sahapur, Khurd, Ward No.11, Mansurpur, P.S.- Kathara,
District- Vaishali.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 30746 of 2022

Arising Out of PS. Case No.-578 Year-2021 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

=====

Manish Kumar S/O Mahendra Rai R/O Village- Susta, P.S.- Sadar, District-
Muzaffarpur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

(In CRIMINAL MISCELLANEOUS No. 3144 of 2022)

For the Petitioner/s : Mr. Shivnandan Bharti

For the Opposite Party/s : Mr. Shailendra Kumar

(In CRIMINAL MISCELLANEOUS No. 15608 of 2022)

For the Petitioner/s : Mr. Jitendra Kumar

For the Opposite Party/s : Mr. Satyendra Prasad

(In CRIMINAL MISCELLANEOUS No. 30746 of 2022)



For the Petitioner/s : Mr. Prabhat Kumar Singh
For the Opposite Party/s : Mr. Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

6 28-11-2022 Heard Ld. counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in connection with Sadar
P. S. Muzaffarpur Case No. 578 of 2021 dated 23.08.2021
arising out of G.R. No. 3446 of 2021, registered for the
offences punishable under Sections 395 and 397 of Indian
Penal Code.

The prosecution case as emerging from the FIR is
that the petitioner and his associates looted a truck bearing
No. BR-030G-3847, on which 20 tones of mustard oil was
loaded.

Ld. counsel for the petitioners submits that the
petitioners are innocent and have falsely been implicated in
this case. He further submits that the petitioners are not
named in the FIR. He also submits that the name of the
petitioners transpired from the confessional statement of co-
accused. He further submits that no TIP has yet been
conducted. He also submits that investigation in this case is



complete and charge-sheet has already been submitted.

The petitioners, namely, Neeraj Kumar @ Mandal and Manish Kumar have been languishing in jail since 26.08.2021 and petitioner, namely, Ashish Kumar @ Munna Sah @ Anshu Kumar has been languishing in jail since 26.12.2021.

It is also stated in paragraph no. 2 of the petition that the petitioners have never moved before this Court for grant of anticipatory bail or regular bail.

It has further been stated that the petitioner, namely, Neeraj Kumar @ Mandal has two more criminal antecedents and Ashish Kumar @ Munna Sah @ Anshu Kumar has three more criminal antecedent and Manish Kumar has one criminal antecedent.

However, the Ld. APP for the State vehemently opposes the prayer of the petitioners for bail.

Considering the aforesaid facts and circumstances, the petitioners, above-named, are directed to be released on bail on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like



amount each to the satisfaction of the Ld. Chief Judicial Magistrate, Muzaffarpur in connection with Sadar P.S. Muzaffarpur Case No. 578 of 2021 on the following conditions:

(i) The petitioners will make themselves available for interrogation by a police officer/court as and when required.

(ii) The petitioners will undertake that investigation/trial will not hamper on account of their absence or non-cooperation. They must be available to the police or the court whenever their presence is required.

(iii) The petitioners 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 them from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, the learned court below shall cancel the bail bond of the petitioners after hearing them and getting satisfied that the



petitioners have concealed their criminal antecedents despite their knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioners.

The application stands allowed accordingly.

Ld. counsel for the petitioners is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

ramesh/-

U		T	
---	--	---	--

