

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17394 of 2022

Arising Out of PS. Case No.-388 Year-2021 Thana- GOPALPUR District- Patna

MANOJ KUMAR Son of Upendra Sahani R/O mohalla - Gandhi Nagar Kanti
Factory Shiv Temple, P.S.- Agamkuan, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Adv.

For the Opposite Party/s : Mr. Suman Kumari Singh, APP.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 20-07-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Gopalpur P.S. Case No. 388 of 2021 registered for the offence
under Sections 395 and 397 of the Indian Penal Code.

Dacoity is said to have been committed by five
unknown persons in the house of the informant.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has falsely been implicated in this case. He
further submits that the petitioner has not been named in
the FIR but his name has transpired in this case on the basis
of confessional statement of co-accused Sonu Kumar. He



further submits that nothing has been recovered from the conscious possession of the petitioner and till date no T.I.P has been conducted by the prosecution. He further submits that police after investigation submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 05.11.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 Session Trial No. 187 of 2022 arising out of Gopalpur P.S. Case No. 388 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled 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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