

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31345 of 2021

Arising Out of PS. Case No.-276 Year-2020 Thana- SIRDALA District- Nawada

RAJESH MANJHI Son of Baijan Manjhi Resident of Village - Pakri, P.S. -
Fatehpur, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Deepak Kumar

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 09-02-2022 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State in virtual court

proceeding.

Let the defects, as pointed out by the office, be

removed within four weeks of start of normal functioning of the

physical court.

Petitioner seeks bail in connection with Sirdalla P.S.

Case No. 276/ 2020 registered for the offences punishable

under Section 395 of the IPC.

The FIR of the occurrence of loot is against unknown.

It is further alleged in the FIR that during course of loot,

informant was assaulted by the miscreants.

Learned counsel for the petitioner submits that

petitioner is not named in the FIR and he has falsely been

implicated in the present case. It is further submitted that name



of the petitioner has transpired on the basis of confessional statement of co-accused Tauquir Sah and Sanjay Paswan. He further submits that nothing has been recovered from conscious possession of the petitioner rather the looted mobile has been recovered from the possession of co-accused Tauquir Sah. He further submits that the police after investigation submitted charge sheet against the petitioner and other co-accused persons. He further submits that co-accused Rajkumar Ram @ Kabutri has been granted bail by this court vide order dated 21.01.2022 passed in Cr. Misc. No. 46790 of 2021. Similarly, co-accused Shubham Kumar @ Shivam Kumar has been granted bail by this court vide order dated 21.01.2022 passed in Cr. Misc. No. 47923 of 2021. Petitioner is in custody since 03.09.2020.

The learned Additional Public Prosecutor opposed the prayer of bail submitting that petitioner carries one criminal antecedent.

Considering the aforesaid facts and circumstances, 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 the learned Additional Chief Judicial Magistrate-1, Nawada in connection with Sirdalla P.S. Case No. 276/ 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 absence on two consecutive dates without sufficient reason, his 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.

3. 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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