

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.25177 of 2022**

Arising Out of PS. Case No.-47 Year-2021 Thana- GWALPARA District- Madhepura

MANISH KUMAR Son of Radhe Shyam Mandal Resident of Village -  
Rahua, P.S.- Saur Bazar, District - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Uday Chand Prasad

For the Opposite Party/s : Mr.Md. Anbzarul Haque Sahara

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

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

Let the defect(s), if any, as pointed out by the office  
be removed within four weeks.

The petitioner is in judicial custody in connection  
with Gwalpara (Arrar O.P) P.S. Case No. 47 of 2021 for the  
offences under Sections 395, 412 of the Indian Penal Code.

As per the allegation in the FIR, the petitioner herein  
along with other accused persons on gun point snatched the  
informant's motorcycle as also two mobiles and tried to escape.  
However, to his fortune, his colleagues came there and chased  
the accused's motorcycle as also raised *hulla* which resulted into  
the villagers catching hold of the petitioner herein. It is the  
petitioner, who gave the names of other accused persons as



Babul Kumar, Ram Ratan Singh @ Ram Singh, Md. Arbaz @ Shahbaz and Navnit Singh to the police. The police later came and recovered/seized all the motorcycles left behind by the accused persons. Accordingly, the FIR was lodged and the petitioner herein was taken into custody.

Learned counsel for the petitioner submits that for the said alleged act, petitioner has already suffered having caught at the spot and is in custody since 23.03.2021 (as stated in paragraph-19 of the bail application).

Taking into account period of incarceration of the petitioner as also the fact that charge sheet stands submitted, this Court is inclined to grant him the privilege of bail with certain conditions in view of the fact he has criminal antecedent.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of Additional Chief Judicial Magistrate – 2<sup>nd</sup> Udakishunganj, Madhepura in connection with Gwalpara (Arrar O.P.) P.S. Case No. 47 of 2021, subject to the following conditions.

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her *bona fide*;



(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall appear before the concerned police station every fortnight for next six months to mark his presence;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

**(Rajiv Roy, J)**

Jagdish/-

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