

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25324 of 2022

Arising Out of PS. Case No.-767 Year-2021 Thana- SONEPUR District- Saran

Mannu Kumar @ Rakesh Kumar @ Munnu Kumar Son Of Late Tuntun Rai
Resident Of Village - Parvejabad, P.S.- Sonepur, District - Saran (Chapra).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 10-08-2022 Heard learned counsel for the petitioner as well
as learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered in connection with Sonepur P.S.Case No. 767 of 2021 for the offences punishable under Sections 395 of the Indian Penal Code.

As per the prosecution case, it is alleged that while the informant was coming from his truck laden with 380 bags of cement, seven named accused persons came on a Scorpio and two persons took away his truck and looted the bags of cement.

It is submitted by the learned counsel for the petitioner that he is innocent and has falsely been



implicated in this case. It is further submitted that seven persons have been named in the FIR and the name of the petitioner has surfaced in this case on the confessional statement made by the co-accused Vishal Kumar stating therein that petitioner helped co-accused Bittu Kumar in keeping the cement. Petitioner is in custody since 14.02.2022 though after completion of investigation charge sheet has been submitted, moreover, co-accused Ramayan Kumar @ Ramayan Roy, having identical allegation has already been granted bail by co-ordinate Bench of this Court in Cr. Misc. No. 20181 of 2022 vide order dated 11.07.2022

On the other hand, learned counsel for the State opposed the bail application of the petitioner and submits that petitioner has found involved in two other cases.

Having heard the rival contentions of the parties and taking into consideration the fact that the name of the petitioner has transpired on the basis of confessional statement of co-accused Vishal Kumar and he is in custody since 14.02.2022, apart from the fact that investigation has already been completed and charge sheet has been



submitted, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Chapra, Saran in connection with Sonepur P.S.Case No. 767 of 2021 subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) 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 cancelling 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.

(Harish Kumar, J)

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