

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28029 of 2022

Arising Out of PS. Case No.-53 Year-2022 Thana- KOPA District- Saran

SHIVJI MANJHI Son of Late Bhagwan Manjhi Resident of Village -
Pokharbhinda, Police station - Kopa, District - Saran at Chapra.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Narendra Kumar, Adv.

For the Opposite Party/s : Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 23-08-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for
the offence under Sections 384 and 34 of the Indian Penal
Code.

As per prosecution case, the petitioner is alleged to
have been extorting money from the sand loaded truck along
with other co-accused persons.

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 F.I.R. has been instituted on the
basis of a viral video amongst the society. He further submits



that though there is video but its authentication is in question as to who and from whom instance, the same has been recorded and made it viral. He further submits that nothing has been recovered from the conscious possession of the petitioner nor any cogent material has come during course of investigation against him. He further submits that the co-accused, namely, Umesh Ram Siyaram Pandit have already been granted bail by a co-ordinate Bench of this Court vide order dated 27.07.2022 and 26.07.2022 passed in Cr. Misc. No. 27389 of 2022 and Cr. Misc. No. 28179 of 2022, respectively. The petitioner is rotting in judicial custody since 30.03.2022.

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 Kopa P.S. Case No. 53 of 2022 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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