

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28243 of 2022

Arising Out of PS. Case No.-62 Year-2022 Thana- GARDANIBAG District- Patna

Manish Kumar S/o Dilip Prasad Resident of Village - Gardanibag, P.S. -
Gardanibag, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Rana Randhir Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 24-08-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be
removed within a period of four weeks from today.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 379, 411/34 of the Indian
Penal Code.

According to prosecution case, on the basis of written
application of Ranjeet Kumar on 06.02.2022 alleging therein
that on 06.02.2022 he had gone to Ramdas Bhawan Yarpur
Shiwajipath Gardanibag to meet his cousin on his motorcycle
which was parked at the door. It has been further alleged that on
cry made by local people he alongwith his cousin came out of
the house and found that one person was fleeing away with his
motorcycle by breaking its lock who was caught with the



assistance of nearby people and in the meantime, the police also arrived who took the arrested person in their custody and on asking he disclosed his name as Manish Kumar.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation against the petitioner is that he has parked the motorcycle in front of the door of the informant as per F.I.R. is totally false and concocted. He further submits that petitioner has not committed any offence and no incriminating material recovered from the conscious possession of the petitioner. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 07.02.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

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 Court below where the case is pending in connection with Gardanibag P.S. Case No. 62 of 2022, 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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