

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39112 of 2021

Arising Out of PS. Case No.-21 Year-2021 Thana- MANJHI District- Saran

SURAJ NUT S/O DEYU NUT R/o village- Bangra Bintoli, P.S.- Daudpur,
District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bishwajeet Singh, Advocate

For the Opposite Party/s : Mr. Dr. Ajeet Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

6 02-03-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

Petitioner, who is in custody since 27.03.2021, seeks
regular bail in connection with Manjhi P.S. Case No. 21 of 2021
dated 20.01.2021 registered for offences punishable under
Section 394 of the Indian Penal Code.

Prosecution case, in brief, is that on 18.01.2021,
informant and his mother were returning after seeing the doctor
at Chapra. In the meantime, three miscreants stopped them in
between Matiyar and Jai Chapra and assaulted on his head by
pistol. They were riding bike bearing Registration No. BR04
9780 and robbed them of cash, ATM, mobile and jewelries etc.



Learned counsel appearing on behalf of the petitioner submits that he is not named in the F.I.R. and he has been remanded in this case from Manjhi P.S. Case No. 38 of 2021. No incriminating article has been recovered from his possession. He further submits that the petitioner has been remanded in the present case on the basis of his confessional statement made in the police custody which has no evidentiary value in the eye of law. No T.I.P. has been conducted till date. Petitioner is in custody since 27.03.2021.

Learned A.P.P., for the State has opposed the prayer for grant of bail to the petitioner.

Considering the facts and circumstances of the case as well as the period of custody of the petitioner, the Court below is directed to release the petitioner above named on bail upon furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.- XIII, Saran in connection with Manjhi P.S. Case No. 21 of 2021 dated 20.01.2021 subject to the following conditions:

(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.



(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(iii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(iv) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bond.

(Purnendu Singh, J)

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