

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42166 of 2021**

Arising Out of PS. Case No.-135 Year-2020 Thana- PIPRA District- East Champaran

MANI KUMAR @ MANI SINGH Son of Rambabu Singh Resident of
Village - Anjanakot, P.S.- Motipur, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh
For the Opposite Party/s : Mr.Akshay Lal Pandit

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 18-02-2022 Supplementary affidavit has been filed on behalf of the petitioner mentioning therein that due to inadvertence in para 1 of the bail petition, in place of Sections 392, 307 of the IPC and Section 27 of the Arms Act, it has been typed as Sections 302, 307 of the IPC and Section 27 of the Arms Act. Learned counsel submits that in para-1 of the bail petition, it be read as Sections 392, 307 of the IPC and Section 27 of the Arms Act.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State in virtual court proceeding.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.



Petitioner seeks bail in connection with Pipra P.S. Case No. 135 of 2020 registered for the offences punishable under Sections 392, 307 of the IPC and 27 of the Arms Act.

As per the prosecution case, four miscreants on two motorcycles entered in the C.S.P. of S.B.I. near Bakhari Bazar and looted away Rs. 40,000/- cash, one Laptop, mobile phones and some documents.

Learned counsel for the petitioner submits that petitioner is not named in the FIR and he has falsely been implicated in the present case only on the basis of confessional statement of co-accused and self confessional statement of the petitioner. He further submits that till today no TIP has been conducted by the prosecution and police after investigation submitted charge sheet against the petitioner and other accused persons. He further submits that co-accused Rahul Kumar has been granted bail by a co-ordinate Bench of this court vide order dated 21.08.2021 passed in Cr. Misc. No. 30402 of 2021. Similarly co-accused Anil Kumar Singh has been granted bail by a co-ordinate Bench of this court vide order dated 14.12.2021 passed in Cr. Misc. No. 30733 of 2021. Similarly, co-accused Chandan Chaudhary has been granted bail by this court vide order dated 07.02.2022 passed in Cr. Misc. No. 31334 of 2021.



Similarly, co-accused Babul Kumar @ Bablu Kumar has been granted bail by this court vide order dated 21.01.2022 passed in Cr. Misc. No. 39956 of 2021 and petitioner is in custody since 24.12.2020.

The learned Additional Public Prosecutor opposed the prayer of bail submitting that petitioner carries five criminal antecedent.

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 Chief Judicial Magistrate, East Champaran, Motihari in connection with Pipra P.S. Case No. 135 of 2020, 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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