

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42910 of 2021

Arising Out of PS. Case No.-201 Year-2020 Thana- JAKKANPUR District- Patna

MANAGER RAI @ MANEGER RAI Son of Bhagwan Rai Resident of
Village- Didarganj in front of H.P. Patrol Pump Bichla Tola, P.S.- Didarganj,
District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad
For the Opposite Party/s : Mr.Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 31-01-2022 Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

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

The petitioner, who is in custody since 19.12.2020,
seeks regular bail in connection with Jakkanpur P.S. Case No.
201 of 2020, for the offence punishable under Section 392 of the
Indian Penal Code.

The prosecution case, in brief, is that one Sunil
Kumar submitted his written report before Police Station
alleging therein that on 24.03.2020 at about 5.00 P.M. while he
along with his two staffs were coming to Patna, three unknown
miscreants came boarding on bike and snatched his purse,



mobile, back bag and Pulsar motorcycle on the point of pistol.

Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and he has been made accused in the present case on the basis of confessional statement of other co-accused. He further submits that petitioner has not been put on T.I.P. while he is in custody since 19.12.2020.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner. He further submitted that as per confessional statement of co-accused in paragraph No. 51 and 55, the looted mobile has been recovered from the possession of the petitioner.

Considering the above mentioned facts and circumstances of the case, the name of the petitioner has surfaced in this case on the basis of confessional statement of co-accused and petitioner has not been put on T.I.P. while he is in custody since 19.12.2020. The learned trial court is directed to obtain criminal antecedent of the petitioner from the Superintendent of Police, Patna and if no other case is pending against the petitioner, as what has been stated in paragraph No.3 of the bail application, the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rs. Twenty Five



Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Chief Judicial Magistrate-I, Patna in connection with Jakkanpur P.S. Case No. 201 of 2020, subject to the following conditions:-

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

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

(3) 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.

(4) 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 bonds.

(Purnendu Singh, J)

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