

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45917 of 2021

Arising Out of PS. Case No.-292 Year-2020 Thana- GAYA MUFASIL District- Gaya

Manish Kumar Son of Munna Raut Resident of Village- Manpur, Kurmi Tola,
P.S.- Mufassil, Distt- Gaya.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyamal Krishna Sinha

For the Opposite Party/s : Mr. Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 17-01-2022 Let the defects, if any, be removed within four weeks
of the complete start of the Physical Court.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State in virtual
Court proceeding.

Petitioner seeks bail in a case registered in
connection with Gaya Muffasil P. S Case No. 292 of 2020 for
the offences punishable under Section 406, 420, 467, 468/34 of
the Indian Penal Code .

As per prosecution case, four to five persons were
caught and large number of ATM cards and firearms were
recovered from their possession. One live cartridge and Redmi
Mobile were recovered from possession of the petitioner.

Learned counsel for the petitioner submits that



petitioner is named in the F.I.R. It appears from the F.I.R that one live cartridge and one mobile was recovered from possession of the petitioner for which separate F.I.R has been lodged against the petitioner. Except this nothing has been recovered from possession of the petitioner. Further submits that from possession of co-accused Jaicky Kumar @ Jaicky Kumar Verma, large number of ATM cards and cash were recovered, who has been granted bail in CR. Misc. No. 22714 of 2021 vide order dated 08.12.2021. Petitioner is in custody since 05.01.2021.

The learned A.P.P opposed the prayer for bail of the petitioner and submits that petitioner is having two cases, which manifests in Paragraph-3 of the petition.

Considering the aforesaid facts and circumstances as well as submissions of the parties and period of detention of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Gaya Muffasil P.S.Case No. 292 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

2. If the petitioner tamper 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 petitioners have concealed their 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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