

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.38709 of 2022**

Arising Out of PS. Case No.-309 Year-2021 Thana- KUMAR KHAND District- Madhepura

MANTU YADAV @ MANTU KUMAR S/o Arun Yadav R/o village-  
Ranipatti, Ward No. 12, P.S.- Kumarkhand, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Manoj Kumar, Advocate

For the Opposite Party/s : Mr.Binod Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**

ORAL ORDER

2      29-09-2022                      Heard learned counsel for the petitioner and learned  
counsel for the State.

Let the defect(s), if any, as pointed out by the office  
be removed within four weeks.

The petitioner is in judicial custody in connection  
with Kumarkhand P.S. Case No. 309 of 2021 for the offences  
under Sections 341, 379, 386, 506/34 of the Indian Penal Code.

The allegation in the FIR is that while the informant  
was going to sell clothes, the accused Mantu Yadav and Amit  
Kumar came on a motorcycle and took away mobile, Rs. 4000/-,  
10 pieces of curtains, bedsheet etc. Accordingly, the FIR was  
instituted.

Learned counsel for the petitioner submits that for the  
occurrence that happened on 8.11.2021, the FIR was lodged on



12.11.2021 and there is nothing on the record for the said delay. It is his further submission that though the petitioner has criminal antecedent, is in custody since 21.2.2022 and as such he deserve bail.

Considering the fact that the petitioner is in custody since 21.2.2022, there is delay of four days in lodging the FIR and the charge-sheet stands submitted, this Court is inclined to grant him the privilege of bail after framing of the charges in view of the fact that he has criminal antecedent.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II Madhepura, in connection with Kumarkhand P.S. Case No. 309 of 2021 subject to the following conditions:-

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;



(iii) the petitioner shall leave his/her district (Madhepura) for a period of one months(s) after providing name and address and police station of his place of stay during the said period and he shall be duty bound to visit the police station (where he/she will stay) every week to mark his attendance;

(iv) upon return to his district, he shall visit the concerned police station every fortnight for the next six months to mark attendance;

(v) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(vi) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

**(Rajiv Roy, J)**

Ajay  
Singh/Ravi-

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