

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41501 of 2022

Arising Out of PS. Case No.-96 Year-2022 Thana- DAUDPUR District- Saran

Manoj Kumar Son of Daya Kishore Ram Resident of village - Chirand, P.S.-
Doriganj, District - Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Kumar Yadav, Advocate

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 06-12-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 341, 323,
504, 379, 307 and 34 of the Indian Penal Code.

According to the prosecution case, on instruction of
the owner of the truck, two persons tried to take away the truck
in which was seized by the police.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case. He
further submits that as per the allegation, the truck in question



was taken away by the driver and *khalasi* of the truck. He further submits that the petitioner is the owner of the truck in question. He further submits that during investigation, no cogent material has come against the petitioner and only that the petitioner is the owner of the truck in question, he was falsely implicated in the present case.

The learned counsel for the State has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner carries one more case other than the present one.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 Court below where the case is pending in connection with Daudpur P.S. Case No. 96 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other 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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