

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46555 of 2022

Arising Out of PS. Case No.-383 Year-2019 Thana- PIPRA District- East Champaran

Manjit Kumar @ Pandit Son Of Anand Bihari Pathak R/O- Chintamanpur,
P.S.- Pipara, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar Shrivastava, Advocate
For the Opposite Party/s : Mr. Uday Chand Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 12-10-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within a period of four weeks from today.

Petitioner seeks bail in a case registered for the offences punishable under Section 392 of the Indian Penal Code, but the police has submitted the charge sheet under Sections 395, 397, 412, 120(B) of the Indian Penal Code.

Earlier the petitioner was granted bail vide order dated 25.11.2021 passed in Cr. Misc. No. 30867 of 2021 but the bail bond was not accepted by the learned Court below due to certain conditions as imposed by this Court.

Learned counsel for the petitioner submits that the petitioner has committed no offence and he has been falsely



implicated in the present case and the name of the petitioner has been transpired on the basis of confessional statement of co-accused, namely, Rajendra Sahani. Further submits that not a single witness has supported the prosecution story and the police, after investigation, submitted the charge sheet against the petitioner and the petitioner is in custody since 28.12.2020.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries six more cases other than the present one.

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 Court below where the case is pending in connection with Sessions Trial No. 745 of 2021 corresponding to G.R. No. 8332 of 2019 arising out of Pipra P.S. Case No. 383 of 2019, 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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