

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56001 of 2021

Arising Out of PS. Case No.-24 Year-2021 Thana- SARAI District- Vaishali

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MANOJ KUMAR @ VIBHAT KUMAR @ BISHAT KUMAR SON OF
MADAN SINGH R/O VILLAGE- AKHTIYARPUR PATEDHA, P.S.-
SARAI, DISTRICT- VAISHALI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 25-01-2022 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State in virtual court
proceeding.

Let the defects, as pointed out by the office, be
removed within four weeks of start of normal functioning of the
physical court.

Petitioner seeks bail in connection with Sarai P.S. Case
No. 24 of 2021 registered for the offences punishable under
Section 392 of the IPC.

The FIR of the occurrence of loot is against unknown.

Learned counsel for the petitioner submits that
petitioner is not named in the FIR and he has falsely been
implicated in the present case only on the basis of confessional



statement of co-accused Ankit Kumar. It is further submitted that no incriminating article has been recovered from conscious possession of the petitioner. It is further submitted that co-accused Ankit @ Ankit Kumar has been granted bail by a co-ordinate Bench of this court vide order dated 25.11.2021 passed in Cr. Misc. No. 49805 of 2021. Petitioner is in custody since 01.07.2021.

The learned Additional Public Prosecutor opposed the prayer of bail submitting that petitioner carries three criminal antecedent.

Considering the aforesaid facts and circumstances as well as period of custody, 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 Additional Chief Judicial Magistrate-16, Vaishali at Hajipur in connection with Sarai P.S. Case No. 24 of 2021, 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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