

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47081 of 2022**

Arising Out of PS. Case No.-118 Year-2022 Thana- GANGABRIDGE District- Vaishali

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Manil Kumar @ Bhulu Son of Late Bhultan Mahto Resident of Village -
Tersiya Ward No.02, P.s.- Ganga Bridge, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Rina Sinha, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 07-12-2022 Heard Ms. Rina Sinha, learned counsel appearing on
behalf of the petitioner and Mr. Nirmal Kumar Sinha, learned
A.P.P. for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioner seeks regular bail in connection with
Ganga Bridge P.S. Case No. 118 of 2022, for the offence
punishable under Sections 457, 380, 411/414 of the Indian Penal
Code.

The prosecution case, in brief, is that the accused
persons named in the F.I.R. after stealing some jewellery



amounting to Rs. 20,000/- and Rs. 40,000/- in cash was trying to flee away but after chase they were caught along with stolen articles and one unnumbered motorcycle was also recovered from their possession.

Learned counsel appearing on behalf of the petitioner submitted that due to typographical mistake para-8 has been typed twice instead of para-9, they are different paragraphs and seeks permission to make correction in course of the day. Permission is granted to re-number the paragraphs in bail petition.

It is submitted on behalf of the petitioner by the learned counsel that the petitioner is next door neighbour and due to enmity the petitioner has falsely been implicated. In this regard she has made specific statement in para-7 of the bail application. It is further submitted that nothing was recovered from the possession of the petitioner known persons of the informant side forcibly nabbed the petitioner on the false allegation of having committed theft in the house of the informant. It is further submitted that petitioner is in custody since 24.05.2022 and no progress has taken place in the conduct of trial.

Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

Considering the nature of allegation and the



antecedent of the petitioner, without going into the merits, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 25000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Vaishali, Hajipur in connection with Ganga Bridge P.S. Case No. 118 of 2022 subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(5) The court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in paragraph No.3 of the bail application, this order will automatically loose its force.

Petitioner is directed to remove all the defect(s) as



pointed out by the Stamp Reporter within two weeks’ and thereafter, Registry shall communicate the order to the Court below forthwith.

(Purnendu Singh, J)

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