

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58606 of 2021

Arising Out of PS. Case No.-297 Year-2021 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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MANISH KUMAR Son of Pawan Mahto @ Pawan Kumar Mahto Resident
of Village - Ward No.10, Buzarg Dawar, P.S.- Khanpur, Distt.- Samastipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajkumar Rajesh, Advocate
For the Opposite Party/s : Mr. Rina Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 12-04-2022 Heard learned counsel for the parties.

The petitioner is in jail in connection with Muffasil
P.S. Case No. 297 of 2021 registered under Sections 399 and
402 of the Indian Penal Code and Section 25(1-B)a, 26 and 35
of the Arms Act.

As per the prosecution case, the police force on
information was made a checking on the road and found two
two accused persons sitting on a Hero Splendor motorcycle and
three persons on a Bullet motorcycle talking to each other. On
suspicion, when they were questioned, some of them fled away
while the petitioner herein was caught and it is alleged that one
loaded countrymade pistol and live cartridge was recovered
from his possession.



Learned counsel for the petitioner submits he has falsely been implicated in the case; he is in jail since 10th of July, 2021 and being a student if he continues to remain in jail he will have a bleak future.

Taking into account the aforesaid facts as also that charge sheet has been submitted in the matter and the petitioner is in judicial custody since 10th of July, 2021, 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 Additional Chief Judicial Magistrate -II, Samastipur in connection with Muffassil P.S. Case No. 297 of 2021, subject to the following conditions.

(i) the learned Trial Court shall check his criminal antecedent while releasing him on bail;

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

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

(iv) the petitioner shall desist from committing any



criminal offence again, failing which the State shall take steps
for cancellation of his bail bond.

With the aforesaid observation, the bail application is
allowed.

(Rajiv Roy, J)

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