

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50526 of 2022

Arising Out of PS. Case No.-64 Year-2022 Thana- BIDUPUR District- Vaishali

MANISH KUMAR @ SUBODH Son of Arun Yadav Resident of village -
Naya Tola, Jurabganj, P.S. - Korha, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivjee Singh, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, Advocate

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 09-12-2022 Heard the learned counsel appearing for the petitioner
and learned A.P.P. appearing for the State.

The petitioner seeks regular bail in connection with
Bidupur P.S. Case No. 64 of 2022 for the offence punishable
under Section 392 of the Indian Penal Code.

The allegation is regarding two unknown miscreants
having intercepted the informant of the present case and
snatched a sum of Rs. 95,000/-, whereafter they are stated to
have fled away.

The learned counsel for the petitioner has submitted
that the petitioner is innocent, he has been falsely implicated in
the present case and he is languishing in custody since
16.03.2022. It is further submitted that the petitioner was
arrested firstly in connection with Hajipur P.S. Case No. 151 of



2022 on 21.02.2022 and thereafter, he has been falsely implicated and remanded in the present case as also in other three criminal cases and this is how he has become accused in four other criminal cases. The learned counsel for the petitioner has also submitted that neither Test Identification Parade has taken place so as to connect the petitioner with the alleged crime nor any looted amount has been recovered either from his conscious possession or from his house, nonetheless, it is submitted that the petitioner is ready and willing to abide by such terms and conditions, as may be deemed fit and proper, to be imposed by this Court, for the purposes of grant of bail.

Per contra, the learned A.P.P. appearing for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record, this Court finds that the petitioner was initially arrested in one another case, however, subsequently he appears to have been remanded in the present case, nonetheless, the fact remains that no Test Identification Parade has been conducted so as to connect the petitioner with the alleged crime, hence though, I deem it fit and proper to grant benefit of doubt to the



petitioner for the purposes of grant of bail, however, subject to certain conditions, considering the number of criminal cases pending against the petitioner.

Accordingly, the petitioner, above named, is directed to be released on bail upon him furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Bidupur P.S. Case No. 64 of 2022.

It is further directed that the petitioner would mark his attendance before the concerned Officer In-Charge of the concerned Police Station at 10:00 A.M. on every Monday of the week, starting from the day he is released from custody and in the event of his failure to do so on two consecutive occasion, the present privilege of bail shall stand cancelled automatically and the petitioner shall be taken into custody forthwith.

(Mohit Kumar Shah, J)

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