

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.54219 of 2022**

Arising Out of PS. Case No.-379 Year-2022 Thana- BETTIAH CITY District- West
Champaran

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Manish Kumar @ Manish Kumar Singh S/O Uday Narayan Rao @ Uday
Narayan Singh resident of mohalla- new bus stand road, bettiah, P.S.- Bettiah
Town, District- West Champaran. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bashishtha Narayan Mishra, Advocate
For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 16-12-2022 Learned counsel for the petitioner undertakes to
remove all the defects as pointed out by the Stamp Reporter
within two weeks.

Heard learned counsel for the petitioner and Mr.
Akhileshwar Dayal, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail
in connection with Bettiah P.S. Case No. 379 of 2022 registered
for the offences punishable under Section 392 of the Indian
Penal Code. He is in custody since 14.06.2022. He has two
criminal cases on his head but in those two cases he is on bail.

Learned counsel for the petitioner submits that as per
the prosecution story, on 23.05.2022 at about 06:00 P.M., 3
miscreants armed with weapons entered in the office of Fino
Airtel Payment Bank and looted cash of Rs.3,04,000/-. It is



further alleged that the miscreants also broke LCD camera and taken away OVR.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is submitted that the petitioner is in custody since 14.06.2022.

Learned counsel for the petitioner submits that the name of the petitioner has transpired in the confessional statement of co-accused and he has been taken on remand in this case but till date no test identification parade has been done.

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

Having regard to the facts and circumstances of the case wherein the name of the petitioner is said to have transpired in the confessional statement of the co-accused Rohit Kumar Jaiswal and the petitioner has been taken on remand in this case but he has not been put on test identification parade and there is no other material against him, he is in custody since 14.06.2022, in the two cases he is on bail and there is no submission on behalf of the State that the release of the petitioner is likely to result in tampering with the evidence or interfering with the course of trial, this Court directs release of



the petitioner above named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Bettiah Town P.S. Case No. 379 of 2022, subject to the condition as laid down under Section 437 (3) Cr.P.C.

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.

The application stands allowed.

Certified copy of this order shall be made available only after removal of the defects.

(Rajeev Ranjan Prasad, J)

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