

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55185 of 2022

Arising Out of PS. Case No.-621 Year-2022 Thana- KAHALGAON District- Bhagalpur

MANIKANT PASWAN, Son of Sikandar Paswan R/V- Channo, P.S-
Rasalpur, Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamal Kumar Sinha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 16-12-2022 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. for the State, through video

conferencing.

The petitioner seeks regular bail in connection with
Kahalgaon (Rasalpur) P.S. Case No. 621 of 2022, for the
offence punishable under Sections 379, 411 and 414 of the
Indian Penal Code.

The allegation is of recovery of motorcycle from the
house of the petitioner. The petitioner was arrested on the spot
thereafter, he confessed his guilt in Police custody.

Learned counsel appearing on behalf of the petitioner
submits that the petitioner is innocent and he has falsely been
implicated in this case. He further submits that the alleged
motorcycle was recovered from the joint house of the petitioner.
The confessional statement made in Police custody has no legal



validity. The Chargesheet has already been submitted and petitioner is in custody since 02.07.2022.

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

Considering the allegation made in the F.I.R. as well as the fact that Chargesheet has already been submitted. There is no allegation of tampering the evidence or influencing the witness and the trial of the petitioner is not likely to be completed in near future. 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 Chief Judicial Magistrate, Bhagalpur, in connection with Kahalgaon (Rasalpur) P.S. Case No. 621 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.

(Purnendu Singh, J)

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