

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5065 of 2023

Arising Out of PS. Case No.-73 Year-2021 Thana- GANGABRIDGE District- Vaishali

MANISH KUMAR Son of Ramesh Kumar Thakur Resident of village -
Jadhuya Purani Bazar, P.S.- Town Hajipur, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharendra Kumar, Adv.

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 29-04-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since
24.03.2021 in connection with Ganga Bridge P.S. Case No.
73/2021, F.I.R. dated 23.03.2021, for the offences punishable
under Sections 392 and 411 of the Indian Penal Code.

According to prosecution case, the petitioner along
with two other co-accused persons namely, Shivam Kumar and
Vipin Kumar booked tempo for going to Litiyahi village and
finding a lonely place, all the three accused persons stopped the
tempo and pointed knife upon the informant and looted Rs.
1000/- and pushed the informant out of tempo and fled away
with tempo of the informant.

Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitionere has no role in the present occurrence. He further submits that the petitioner was arrested on the spot. Similarly, co-accused, namely, Shivam Kumar has been granted bail by a co-ordinate Bench of this Court vide order dated 29.01.2022 passed in Cr. Misc. No.41132 of 2021 and another co-accused namely, Vipin Kumar has been granted bail vide order dated 07.02.2022 passed in Cr. Misc. No. 47263 of 2021. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 24.03.2021.

Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances and the period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ms. Shubham Tripathi, J.M.1st Class, Vaishali at Hajipur, in connection with Ganga Bridge P.S. Case No.



73/2021, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

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

3. 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.

(Rajesh Kumar Verma, J)

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