

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4871 of 2023

Arising Out of PS. Case No.-146 Year-2020 Thana- MAHNAR District- Vaishali

CHANDRAMANI RAI @ CHANDRAMANI RAY Son of Shiv Mahadev
Rai R/v- Chiraya Tok, P.S.- Bachhabara, District- Begusarai and local address
is- R/v- Bajarangi Chowk, P.O. and P.S.- Vidhyapati Nagar, District-
Samastipur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Yugal Kishore, Adv.

For the Opposite Party/s : Mr.Anant Kumar I, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 29-04-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with Mahnar
P.S. Case No. 146 of 2020 dated 19.05.2020 registered for the
offence under Sections 379, 420/34 of the Indian Penal Code.

The pick up van of the informant is alleged to have
been stolen by the unknown person and it is suspected that the
petitioner is instrumental in the commission of theft of the
vehicle in question.

Learned counsel appearing for the petitioner submits
that the petitioner, who is of clean antecedent, is innocent and
has falsely been implicated in this case. He further submits that
the allegation, as alleged in the F.I.R, is false and fabricated as no
such occurrence has taken place. He further submits that as a



matter of fact, the petitioner has already informed the informant about the alleged commission of theft of the vehicle in question in the long back in the year 2017 itself. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. He further submits that the petitioner has not played any role in the alleged occurrence. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 20.11.2022.

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

Considering the facts and circumstances of the case, let the, above named, petitioner 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 learned J.M-1st Class, Vaishali at Hajipur in connection with Mahnar P.S. Case No. 146 of 2020 with 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled 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.

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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