

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11131 of 2023

Arising Out of PS. Case No.-395 Year-2022 Thana- MANIYARI District- Muzaffarpur

NEERAJ KUMAR @ NISHANT Son of Nandkishor Ray Resident of
Village- Molalama, Basauli, P.S.- Kudhani, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pranav Kumar, Adv. Mr. Rajeev Ranjan No.II, Adv. Mr. Priyanka Kumari, Adv. Mrs. Anjana Gupta, Adv.
For the Opposite Party/s	:	Mr. Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-05-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with Maniyari
P.S. Case No. 395 of 2022 dated 23.11.2022 registered for the
offence under Sections 414, 467, 468 and 34 of the Indian Penal
Code.

The case relates to recovery of one stolen scooter from
the house of the petitioner.

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 on the basis of disclosure
made by the co-accused, Rakesh Kumar and Janak Kumar. He
further submits that, in fact, nothing has been recovered from the



conscious possession of the petitioner rather a scooty is alleged to have been recovered from the house of the petitioner and the same belong to the co-accused, Rakesh Kumar. Save and except confession of the co-accused, no cogent material has surfaced against the petitioner during course of investigation. 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 24.11.2022.

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 Judicial Magistrate-1st Class, Muzaffarpur in connection with Maniyari P.S. Case No. 395 of 2022 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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