

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10006 of 2023

Arising Out of PS. Case No.-141 Year-2022 Thana- KALYANPUR District- East Champaran

MANTU KUMAR YADAV S/O CHANDESHWAR RAY Resident of
Village- Barharwa Mahanand, P.S.- Kalyanpur, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharad Kumar Verma, Advocate

For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 03-05-2023 Heard Mr. Sharad Kumar Verma, learned counsel for
the petitioner and the State.

The petitioner is in custody since 17.11.2022 in connection with Kalyanpur P.S. Case No. 141 of 2022 under sections 414, 457 and 380 of the Indian Penal Code lodged on 8.5.2022 by the informant Ravindra Prasad Pal.

The prosecution story, in brief, is that one Ravindra Prasad has given a written application to the Officer-in-charge stating therein that on 07.05.2022, he alongwith his family members was busy in marriage ceremony of his daughter. When they returned at the house, found that a black colour Splendor Motorcycle bearing registration No.BR05U-5324 was standing at his door and a person came out from his house and trying to flee away. He was caught who gave his name as Mantu Kumar.



The informant entered the house and found that a briefcase was opened and ornament missing. The informant informed the Police and handed over the motorcycle and a mobile as also the accused and the police followed by F.I.R.

It has been contended by the petitioner's counsel that despite being in jail for last six months, no TIP parade or recovery of articles have been made from his possession.

Learned APP opposes the prayer.

Considering the fact that although the petitioner is in custody since 17.11.2022 (as stated in para-14 of the petition) yet no TIP has been made nor there is any recovery from his possession, this Court is inclined to extend him the privilege of bail subject to the condition that he has criminal antecedent.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned A.C.J.M.-10th, Motihari, East Champaran, in connection with Kalyanpur P.S. Case No. 141 of 2022 subject to the following conditions:

- (i) one of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;
- (ii) the petitioner shall appear on each and every date



before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next one year to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the application is allowed.

(Rajiv Roy, J)

Ravi/Kiran

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