

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17185 of 2023**

Arising Out of PS. Case No.-256 Year-2022 Thana- MANSI District- Khagaria

RAJA KUMAR S/o Keshav Kumar Resident of village-Mohaniya, P.S.-Balva
Hat, District-Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar Singh, Adv.

For the Opposite Party/s : Mrs Veena Kumari Jaiswal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 17-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since
22.09.2022 in connection with Mansi P.S. Case No. 256/2022,
F.I.R. dated 16.07.2022, for the offences punishable under
Sections 392 of the Indian Penal Code.

According to prosecution case, three unknown
miscreants on the point of gun, looted away the motorcycle of
the informant along with mobile, ATM card, voter card, Aadhar
card and cash of Rs. 2000/- and thereafter fled away.

Learned counsel for the petitioner submits that the
petitioner falsely been implicated in the present case. He further
submits that the petitioner is not named in the F.I.R. The name
of the petitioner has been transpired during investigation and



only on the suspicion, the petitioner was arrested in Mansi P.S. Case No.261/2022 and his confessional statement was recorded by the police and the petitioner has been remanded in the present case on 20.09.2022. He further submits that till date no T.I.P. has been conducted by the prosecution and nothing has been recovered from the conscious possession of the petitioner. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 22.09.2022.

Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner carries two criminal antecedent other than the present one.

Considering the aforesaid facts and circumstances, 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 the learned C.J.M., Khagaria in connection with Mansi P.S. Case No. 256/2022, 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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