

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27929 of 2023

Arising Out of PS. Case No.-229 Year-2022 Thana- DUMRAO District- Buxar

Manish Kumar Son of Naga Rai Resident of village-Chilhari, P.O.-Naya Bhogpur, Police Station-Dumaron, District-Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 07-06-2023 Let the defect(s), if any, be removed within two weeks from today.

2. Heard learned counsel for the petitioner and learned A.P.P. for the State.

3. The petitioner seeks regular bail in connection with Dumraon P.S. Case No. 229 of 2022 dated 30.05.2022, lodged under Section 392 of the I.P.C.

4. As per the prosecution case, the F.I.R. has been lodged against three unknown accused persons who alleged to snatch the gold chain from the informant.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that nothing incriminating has been recovered from the possession of the petitioner nor he was put on T.I.P. Counsel

submits that the name of the petitioner has come in this case by virtue of the confessional statement of co-accused. Counsel further submits that petitioner is in custody since 29.11.2022. There is one criminal case pending against the petitioner in which he is on bail and *i.e.* relating to Excise Act. Counsel also submits that other co-accused person has been granted bail by the Co-ordinate Bench of this Court vide order dated 03.04.2023 passed in Cr. Misc. No. 2702 of 2023.

6. Learned counsel for the State opposes the prayer for bail.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Dumraon P.S. Case No. 229 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of

his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

sadique/-

U		T	
---	--	---	--