

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34507 of 2023

Arising Out of PS. Case No.-162 Year-2022 Thana- BHAGWANPUR District- Vaishali

MANISH KUMAR SON OF UMESH KUMAR RAY Resident of Village-
Kuttubpur-Police Station-Bhagwanpur, District-Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rabindra Kumar Priyadarshi, Adv. Mr. Dheeraj Kumar, Adv.
For the Opposite Party/s	:	Mr.Atul Chandra, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 07-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Bhagwanpur P.S. Case No. 162 of 2022 registered for the offences punishable under Sections 467 and 414 of the Indian Penal Code read with Sections 25(1B)a, 26 / 35 of the Arms Act.

As per prosecution case, there is alleged recovery of one live cartridge alongwith one mobile from the possession of the petitioner.

Learned counsel for the petitioner submits that petitioner is in custody since 06.07.2022 and bears criminal antecedent of one case. Charge sheet has been submitted in the case and there is no likelihood of tampering with the



prosecution evidence. Petitioner is quite innocent and has falsely been implicated in the present case.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate – I, Vaishali at Hajipur in connection with Bhagwanpur P.S. Case No. 162 of 2022, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.



(iii) 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.

(Alok Kumar Pandey, J)

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