

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40278 of 2023

Arising Out of PS. Case No.-258 Year-2022 Thana- PIPRA District- Supaul

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MANISH KUMAR SON OF SADANAND RAM R/O SATANPATTI,
WARD NO. 7, PS- RAGHOPUR, DISTT- SUPAUL

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Thakur, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 14-07-2023 Heard the parties.

The petitioner is in custody in connection with Pipra P.S. Case No. 258 of 2022 for the offence under Sections 356 and 379 of the Indian Penal Code lodged on 30.08.2022 by the informant, Surendra Prasad Gupta.

The prosecution case, in brief, is that, on 29.08.2022, at 21.00 hours, the informant was returning home after completion of official work of present '*Mukhiya*' namely Ranju Devi and in the way 3 unknown culprits came on motorcycle and snatched his bag and fled away. He further alleged that bag containing various documents and A.T.M. Card, mobile etc. Accordingly, the F.I.R.

It has been contended by the learned counsel for the petitioner that he is a young student, nothing to do with the



alleged occurrence. The recovery/seizure of the bag is from the houses of Rajan Thakur and Raushan and only to implicate him in this case, as he has criminal antecedent, the police forced him to confessed the said, attributing his confession to do the ground for the alleged recovery/seizure of the bag.

It is his further submission that he has already suffered by being in custody since 29.09.2022 (as stated in paragraph 8 of the petition).

Learned APP opposes the prayer but concede that on his confession, the bag was recovered.

Considering the aforesaid facts/submissions put forward by the learned counsel for the petitioner as also the period of custody i.e. 29.09.2022 and ultimately will have to face the trial, this Court is inclined to extend him the privilege of bail with conditions.

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-VI, Supaul, in connection with Pipra P.S. Case No. 258 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/her 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 six months 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)

Jagdish/Kiran/-

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