

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42976 of 2022

Arising Out of PS. Case No.-245 Year-2022 Thana- KOTWALI District- Munger

Manish Kumar, S/O Gauri Ram @ Gori Ram, Resident of village- Manjhi,
P.S.- Sultanganj, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Gupta, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 18-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

In the present case, the petitioner seeks bail in connection with Kotwali P.S. Case No. 245 of 2022 registered for the alleged offences under Sections 419, 420, 467, 468 and 120B of the Indian Penal Code.

As per prosecution case, the petitioner and co-accused Anish Kumar were apprehended due to their suspicious activities during registration of the candidates for appointment of Homeguard. The petitioner is alleged to have tried to change batch number of co-accused Anish Kumar and it is found that he has taken money for appearing on behalf of the co-accused so that the co-accused could qualify in the physical examination.

The learned counsel for the petitioner submits that the



petitioner was not involved in the occurrence as alleged and he has been falsely implicated by the informant with malicious intent. Nothing has come on record to prove that the petitioner has taken any money or was involved in any manner as alleged. The co-accused Anish Kumar has been granted bail by a Co-ordinate Bench of this Court vide order dated 10.10.2022 passed in Cr. Misc. No. 40027 of 2022. The petitioner is in custody since 05.06.2022 and the charge-sheet has been submitted in this case. Petitioner is having clean antecedent.

Learned APP opposes the prayer for bail submitting that the petitioner was trying to appear in place of co-accused and during investigation the fact has come to notice that video recording of the occurrence was available and the petitioner was found involved in fraudulent act and the same is on record.

Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the clean antecedent of the petitioner along with his period of custody and submission of charge-sheet against him, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Munger in connection with Kotwali



P.S. Case No. 245 of 2022, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

balmukund/-

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

