

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45982 of 2023

Arising Out of PS. Case No.-376 Year-2022 Thana- SHERGHATI District- Gaya

Manish Kumar Son Of Arun Singh Resident Of Village- Raiji Mahila College,
Sherghati, Ps- Sherghati, Distt- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivjee Singh, Adv.

For the Opposite Party/s : Ms. Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 15-09-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
S.Tr. No. 230/709 of 2023/2023 arising out of Sherghati P.S.
Case No. 376 of 2022 lodged under Sections 364A & 395 of the
I.P.C.

3. Learned counsel for the petitioner submits that the
petitioner's bail application has been rejected vide order dated
24.12.2022 passed in Cr. Misc. No. 48830 of 2022. Counsel
submits that in the rejection order, it has been directed to Trial
Court to expedite the trial.

4. Counsel further submits that charge has been
framed on 29.03.2023. He submits that the other accused
persons of this case has been granted bail by the Co-ordinate

Bench of this Court vide order dated 21.07.2023 passed in Cr. Misc. Nos. 13475 of 2023 and 20687 of 2023 and vide order dated 25.01.2023 passed in Cr. Misc. No. 43363 of 2022.

5. Counsel also submits that in the order, the recovery of truck has been made by the confessional statement of co-accused Chandan Kumar Singh, but here in the present case, petitioner is Manish Kumar Singh. Counsel further submits that he was not named in the F.I.R. rather his name has come by virtue of confessional statement of co-accused persons.

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 Addl. District and Sessions Judge, Sherghati, Gaya in connection with S.Tr. No. 230/709 of 2023/2023 arising out of Sherghati P.S. Case No. 376 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 *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 bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(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 the bail bonds.

(Dr. Anshuman, J.)

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