

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46103 of 2022**

Arising Out of PS. Case No.-92 Year-2022 Thana- LAKHISARAI District- Lakhisarai

MANJEET KUMAR Son of Mahesh Prasad Singh Resident of Village -
Bedauli, P.s.- Sare, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Manish Kumar No2
For the Opposite Party/s	:	Mr.Akshay Lal Pandit
For the Informant	:	Mr. Ram Prakash Kumar

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

4 24-01-2023 Heard the learned counsel for the petitioner and the learned APP for the State as also the learned counsel appearing for the Informant.

The petitioner seeks regular bail in connection with Lakhisarai (Kawaiya) P.S. Case No. 92 of 2022, registered for the offence punishable under Sections 406, 420, 506 and 34 of the Indian Penal Code.

The allegation is regarding unknown accused persons having arrived at the house of the informant, whereupon they disclosed that they are Income Tax Officials, whereafter they had conducted a search in the house of the informant



and had taken away cash amount to the tune of Rs. 20 lakhs and some jewelry etc. It is alleged that certain unknown miscreants had impersonated as Income Tax Officials and Committed loot.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 4.2.2022. The learned counsel for the petitioner has further submitted that the name of the petitioner has transpired in the present case on the basis of the confessional statement of the co-accused person, namely, Chandan Kumar. It is further submitted that similarly situated co-accused persons have already been granted bail, vide orders dated 30.11.2022 and 9.12.2022, passed in Criminal Miscellaneous No. 64735 of 2022 and Criminal Miscellaneous no. 50040 of 2022.

Per contra, the learned counsel appearing for the informant as also the learned APP for the



State have though vehemently opposed the prayer for bail, but have submitted that the petitioner is the main conspirator, hence, some strict conditions be imposed for his release on bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the parity of the case of the petitioner with that of the co-accused persons, apart from the fact that the petitioner is having a clean antecedent, I deem it fit and proper to direct for release of the petitioner on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai in connection with Lakhisarai (Kawaiya) P.S. Case No. 92 of 2022, subject to the 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.”

(Mohit Kumar Shah, J)

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