

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51845 of 2023**

Arising Out of PS. Case No.-615 Year-2022 Thana- RAJGIR District- Nalanda

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Mantu Kumar @ Mantu Yadav @ Abhinash Kumar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 17-08-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 30.05.2023 in connection with Rajgir P.S. Case No. 615 of 2022, F.I.R. dated 07.11.2022 for the offences punishable under Sections 379 of the Indian Penal Code.

3. According to prosecution case, motorcycle of the informant got stolen by unknown thieves.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that petitioner is not named in the F.I.R. and name of the petitioner is transpired only on the basis of confessional statement. He further submits that the petitioner has been arrested in Hisua P.S. Case No. 694 of 2022



in which one motorcycle has been recovered from the possession of the petitioner and thereafter, the petitioner is remanded in the present case on 30.05.2023. He further submits that the police after investigation submitted the charge sheet against the petitioner as remanded in the present case. The petitioner is in custody since 30.05.2023.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries seven cases criminal antecedent other than the present one but fairly submits on he basis of paragraph – 3 of the bail petition that he is on bail in the said cases.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court of Chief Judicial Magistrate, Biharsharif, Nalanda, in connection with Rajgir P.S. Case No. 615 of 2022, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and



on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. 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.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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