

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54604 of 2023

Arising Out of PS. Case No.-81 Year-2023 Thana- TANKUPPA District- Gaya

MANTU KUMAR S/o- ARJUN YADAV Village- Kewala Ps- Wazirganj Dist-
Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 25-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is in judicial custody in connection with Tankuppa P.S. Case No. 81 of 2023 registered under Sections 420, 467, 468 and 471/34 of the Indian Penal Code lodged on 28.04.2023 by the informant, Prashant Kumar.

As per the prosecution story, the informant is an employee of the Bank found that two persons has come to withdraw Rs. 20,000/- from the counter, on suspicion, when query was made, they wanted to escape but were apprehended. Further, it came to notice that they withdrew Rs. 10,000/- from the account of employee, Abhishek Anand which was actually the account of Budhu Prasad Yadav. Today also they wanted to



recreate the same, were apprehended.

It has been submitted by the learned counsel for the petitioner that he is a student, has already suffered by being in custody since 29.04.2023 (as stated in paragraph-13 of the petition) and do not have criminal antecedent.

Learned APP for the State opposes the prayer for bail stating that earlier he had withdrawn money and wanted to do the same, was apprehended.

Considering the fact that the petitioner is a student of Diploma in Elementary Education for the Session 2021-24, has remained in custody since 29.04.2023, has no criminal antecedent and will be facing the trial, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Gaya in connection with Tankuppa P.S. Case No. 81 of 2023, 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/her bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark 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 his 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 the bail bonds.

(Rajiv Roy, J)

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