

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58035 of 2023

Arising Out of PS. Case No.-180 Year-2023 Thana- ARWAL District- Jehanabad

MANISH KUMAR Son of Shiv Nandan Singh Resident of Village-Tekari,
Police Station-Kinger, District-Arwal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar, Advocate

For the Opposite Party/s : Mr.Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 26-09-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
09.04.2023 in connection with Arwal P.S. Case No. 180 of 2023,
F.I.R. dated 04.04.2023 for the offences punishable under
Sections 392 and 395 of the IPC.

3. According to prosecution case, on 04.04.2023 when
the informant was returning on his motorcycle after making
collection, he was intercepted by three miscreants who then
looted the collection money amounting to Rs. 1,61,666/- from
the informant along with a scanner and Tab. Accordingly, the
FIR.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that the



petitioner is not named in the F.I.R. and during the course of investigation his name has been transpired in this case on the basis of the confessional statement of co-accused namely, Shrikant Kumar @ Lalu. He further submits that nothing has been recovered from the conscious possession or the house of the petitioner, and till date no TIP has been done and the police after investigation submitted charge sheet against the petitioner and the petitioner is in custody since 09.04.2023.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

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 Chief Judicial Magistrate, Arwal in connection with Arwal P.S. Case No. 180 of 2023, 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)

Prakash Narayan

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