

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 64245 of 2023

Arising Out of PS. Case No.-101 Year-2023 Thana- MEHSI District- East Champaran

MUNNA KUMAR son of Late Bangali Rai Village- Muza Bangra Ps-
Deoriya Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Dwivedi, Adv

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 06-12-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Mehsi P.S. Case No. 101 of 2023 registered on 11.04.2023
lodged under Sections 379 of the I.P.C.

3. As per the prosecution case, F.I.R. has been lodged
against unknown accused persons to whom the allegation is of
theft of Rs. 1,20,000/- (Rupees one lakh twenty thousand)

4. Counsel for the petitioner submits that name of the
petitioner has been figured in this case by the virtue of
confessional statement of the co-accused namely Dhiraj Kumar
to whom bail has been granted by the co-ordinate Bench of this
Court vide order dated 05.10.2023 in Cr. Misc. No. 62326 of
2023. Counsel submits that nothing incriminating has been



recovered from the petitioner nor he was put on T.I.P.

5. Counsel further submits that petitioner is innocent and has committed no offence. He further submits that petitioner is in custody since 07.07.2023 having two criminal case pending against him, in which he is on bail. Counsel further submits that the offence which he has been charges is Triable by Magistrate.

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 Chief Judicial Magistrate, East Champaran, Motihari in connection with Mehsi P.S. Case No. 101 of 2023 subject to the following conditions as well as the conditions laid down under Section 437 (3) of the Cr.P.C.

(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.

8. With this observation, the bail application stands allowed.

(Dr. Anshuman, J)

Sunnykr/-

U			
---	--	--	--

