

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66623 of 2023

Arising Out of PS. Case No.-243 Year-2021 Thana- KATORIYA District- Banka

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Manoj Das Son Of Late Parmanand Das Resident Of Village Noniya Basar,
Police Station Banka, District Banka

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 16-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Katoria P.S. Case No. 243 of 2021 dated 12.09.2021, lodged
under Section 394 of the I.P.C.

3. As per the prosecution case, the F.I.R. has been
lodged against two unknown accused persons against whom the
allegation of snatching motorcycle, mobile and some cash are
there in the F.I.R.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
submits that in the F.I.R., the name of the petitioner has not been
disclosed. Counsel submits that the name of the petitioner has
figured in this case by virtue of the confessional statement made

by the co-accused.

5. Learned counsel for the petitioner further submits that the said co-accused have been granted bail by the Co-ordinate Bench of this Court vide order dated 15.06.2022 & 28.07.2023 passed in Cr. Misc. No. 14281 of 2022 & Cr. Misc. No. 44533 of 2023 respectively. Counsel further submits that there are two criminal cases pending against the petitioner. Counsel further submits that the petitioner is in custody since 10.11.2022. Counsel also submits that the case is magisterial triable in nature.

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 Only) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Banka/ Court concerned, Banka in connection with Katoria P.S. Case No. 243 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

(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.)

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