

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68452 of 2023

Arising Out of PS. Case No.-114 Year-2023 Thana- MANPUR District- Nalanda

Shailesh Kumar, Son Of Sahdev Paswan R/O- Village- Dhanuki, P.S.-
Manpur, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Raj Kishor Prasad, Advocate
		Mr. Ashok Kumar, Advocate
For the Opposite Party/s	:	Mr. Binod Kumar No. 3, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 19-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Manpur P.S. Case No. 114 of 2023, lodged on 17.06.2023 under
Sections 419, 420, 467, 468 & 471 of the Indian Penal Code and
section 66 (C)/66(D) of I.T. Act.

3. As per the prosecution case, the FIR has been
lodged against 3 named accused persons including the present
petitioner.

4. Learned counsel for the petitioner submits that the
allegation of commission of several crimes is there in the FIR,
but the seizure list has been prepared completely ignoring the
provisions laid down under section 34 Cr.P.C., and no



independent witness has put his signature on the seizure list. He further submits that antecedent of the petitioner is clean and he is in custody since 18.06.2023. He also submits that nothing incriminating has been recovered from the possession of the petitioner and other co-accused persons have been granted bail by the co-ordinate bench of this Hon'ble Court vide order dated 01.09.2023 passed in Cr. Misc. No. 58549 of 2023.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. 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 A.C.J.M.-V, Nalanda at Biharsharif in connection with Manpur P.S. Case No. 114 of 2023, subject to the conditions as laid down U/s 437(3) Cr.P.C. as well as the 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.

(Dr. Anshuman, J.)

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