

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69587 of 2023

Arising Out of PS. Case No.-252 Year-2019 Thana- MANSI District- Khagaria

Gulsan Kumar, Son Of Panchu Mahton Resident Of Village - Saraiya, Police
Station - Choutham, District - Khagaria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 01-11-2023 heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Mansi P.S. Case No. 252 of 2019, lodged on 10.11.2019 under
Section 379 of the Indian Penal Code.

3. As per the prosecution case, the FIR has been
lodged against unknown accused persons by which it has been
alleged that the bike of the informant become traceless.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He also
submits that the FIR has been lodged against unknown accused
persons and the name of the petitioner has been figured in this
case only and only at the instance of the police who has
remanded him in the present case on 27.06.2023. He further



submits that there is another case pending against the petitioner in which he is on bail.

5. Learned counsel for the petitioner submits that the petitioner is continuing in jail only and only because of the role of the police and nothing has been recovered from the possession of the petitioner nor he was put on T.I.P.

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

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, Khagaria in connection with Mansi P.S. Case No. 252 of 2019, 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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