

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66843 of 2022**

Arising Out of PS. Case No.-205 Year-2022 Thana- GAUNAHA District- West Champaran

MANKU KUMAR @ MANKU KUMAR PATEL S/O Badu Patel R/O
Village- Bajar, P.S- Sahodra District- West Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anant Kumar Mishra, Advocate

For the Opposite Party/s : Mr.Md. Ataur Rahman, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

6 04-05-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since 22.09.2022 in connection with Gaunaha P.S. Case No. 205 of 2022, F.I.R. dated 21.09.2022 registered for the offence punishable under Sections 420,467,468,471,414,34 of IPC.

The prosecution case, in nutshell, is that on 20.09.2022 there was a vehicle checking was going on in which the petitioner and co-accused were intercepted by the police party and due to some altercation which was taken place in course of vehicle checking the police has apprehended the petitioner.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent and he has falsely been



implicated in the present case on the basis of suspicion. Further submits that the allegation as alleged in the FIR is false and fabricated. In fact the petitioner has purchased the tractor in quesiton from the co-accused-Abhay Kumar Upadhyay on 17.08.2022 and the petiitoner has placed on the record the photo copy of the sale letter issued in favour of Abhay Kumar Upadhyay (Annexure-4 to the supplementary affidavit) and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 22.09.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the aforesaid facts, 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 learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Gaunaha P.S. Case No. 205 of 2022, with the following conditions:-

(1) 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.



(2) 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.

(3) 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)

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