

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67311 of 2022**

Arising Out of PS. Case No.-193 Year-2021 Thana- PANAPUR District- Saran

MANU DUBEY Son of Basisth Dubey Resident of Village- Darhibari, P.S.-
Baniapur, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harsh Anuj, Adv.

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

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

2 22-03-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offence punishable under Section 392 of the Indian Penal Code.

According to prosecution case, three unknown
miscreants after surrounding the informant on the point of katta,
snatched the cash bag and fled away. Thereafter the police
during course of investigation recovered cash, bag and samsung
mobile.

Learned counsel for the petitioner submits that the
petitioner is innocent and he has falsely been implicated in the
present case. He further submits that the petitioner is not named
in the F.I.R. The name of the petitioner has been transpired
during investigation on the basis of confessional statement of



co-accused persons namely Rocky Kumar and Rohit Kumar Sah. He further submits that nothing has been recovered from the conscious possession or the house of the petitioner. He further submits that the petitioner has been remanded in the present case on 07.06.2022 from Baniapur P.S. Case No. 56/2022 and similarly situated, co-accused, namely, Rocky Kumar has been granted bail by the learned court below itself and another co-accused namely, Rohit Kumar Sah has been granted bail by a co-ordinate Bench of this Court vide order dated 02.08.2022 passed in Cr. Misc. No. 14314/2022 and the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 06.06.2022.

The learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries four criminal antecedents other than the present one.

Considering the aforesaid facts and circumstances, 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 the learned Court below where the case is pending in connection with Pannapur P.S. Case No. 193/2021, subject to 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 absence on two consecutive dates without sufficient reason, his 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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