

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75920 of 2023

Arising Out of PS. Case No.-216 Year-2021 Thana- KHAGARIA District- Khagaria

MANTUN KUMAR SON OF SHOSHAN YADAV RESIDENT OF
VILLAGE - RAUN, P.S. - ALAULI, DISTRICT - KHAGARIA

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh
For the Opposite Party/s : Mr.Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 30-11-2023 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks bail in connection with
Khagaria (Chitragupta Nagar) P.S. Case No. 216 of 2021, G.R.
No. 840 of 2021 registered for the offences punishable under
Sections 379 and 356 of the IPC.

3. As per prosecution case, informant was going to
Block alongwith his driver in his bolero vehicle and in the way
some unknown miscreants entered into his vehicle and snatched
five lakh rupees and Rs. 2,80,000/- fell into the bolero vehicle
and thereafter unknown miscreants fled away after committing
the said occurrence.

4. Learned counsel for the petitioner submits that
petitioner is not named in the FIR and his name has been



transpired in the present case upon the confessional statement of co-accused Golu Kumar. Except self-confessional statement of co-accused Golu Kumar, there is nothing on record to demonstrate the complicity of petitioner with the alleged occurrence. Petitioner is in custody since 02.06.2023 and bears criminal antecedent of six cases in which he is on bail. Learned counsel orally submits that charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. No incriminating article has been recovered from the conscious possession of the petitioner and no TIP has been conducted uptill now. Learned counsel further submits that petitioner is quite innocent and has committed no offence as alleged in the FIR.

5. The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, period of custody, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Khagaria in connection



with Khagaria (Chitragupta Nagar) P.S. Case No. 216 of 2021, G.R. No. 840 of 2021, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

vashudha/-

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