

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.75906 of 2023**

Arising Out of PS. Case No.-472 Year-2023 Thana- MOTIHARI MUFASIL District- East  
Champaran

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Mantu Kumar S/O Rajkishore Singh Village- Patpariya, P.S.- Muffasil, Dist.  
East Champaran. ... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Parmanand Kumar

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**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY**  
**ORAL ORDER**

2      01-12-2023                                      Heard learned counsel for the petitioner and  
  
learned A.P.P. for the State.

2.      The petitioner seeks bail in connection with  
  
Muffasil P.S. Case No. 472/2023 registered for the offences  
  
punishable under Sections 341, 323, 379, 384, 504, 34 of the  
  
Indian Penal.

3.      As per prosecution case, the informant's Tata  
  
Tiago car was taken by four persons. It is further alleged that  
  
when the informant raised objection, the petitioner and others  
  
assaulted the informant and snatched Rs.5000/-. On enquiry of  
  
the informant, villagers identified the petitioner and others who  
  
fled away from the place of occurrence.

4.      Learned counsel for the petitioner submits that  
  
petitioner is innocent and has falsely been implicated in this  
  
case. The petitioner is languishing in custody since 05.09.2023



and bears criminal antecedent of three cases in which he is on bail. He further submits that the petitioner is an agent of finance company and the informant has taken a car loan from the finance company. He further submits that the petitioner has gone to the house of the informant to recover the loan amount of Tata Tiago car but due to non-fulfillment of the loan amount, the petitioner has seized the Tata Tiago car and the inventory was also prepared which was duly signed by the informant. Basically, the petitioner was not involved in any way in the alleged occurrence. He was discharging his duties which was directed by the finance company. He orally submits that charge sheet has been submitted in this case and there is no likelihood of tampering with the prosecution evidence. Learned counsel for the petitioner further orally submits that the said seized car has already been taken by the informant himself and there is merely a dispute of recovery of loan amount of Tata Tiago car from the informant. In the light of aforesaid submission, no case is made out against the petitioner under the aforesaid sections.

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, the petitioner is not apprehended on the



spot, 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 bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muffasil East Champaran in connection with Muffasil P.S. Case No. 472/2023, 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)**

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