

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14833 of 2024

Arising Out of PS. Case No.-169 Year-2023 Thana- MANSI District- Khagaria

Munna Chaudhari Son of Late Rambadan Chaudhari Resident of village -
Bhagatpur Ward No.- 68, P.S.- Baliya, District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jai Kishor Poddar, Advocate

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 13-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Mansi P.S. Case No. 169 of 2023, dated 15.06.2023, instituted for the offence punishable under Sections 394 and 411 of the Indian Penal Code.

3. The prosecution case, in short, is that when the informant was going to Saidpur for giving video and photo, a white coloured car hit his vehicle on N.H. 31. Thereafter, four accused persons including the petitioner assaulted the informant and hit him by the butt of pistol due to which the head of informant got fractured. Thereafter, they looted mobile and cash of Rs. 7000/-.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and he has been falsely implicated in this case. It is further submitted that petitioner is not named in the F.I.R. and only on the basis of recovery of looted mobile from his possession, the petitioner has been made accused in this case. It is submitted that the said mobile which was seized by the police from the possession of petitioner was purchased from co-accused namely, Prem Yadav upon payment of Rs. 4000. It is submitted that no T.I.P. has been done and only on the basis of suspicion, the petitioner has been made accused in this case. Lastly, it has been submitted that the petitioner is in custody since 05.08.2023 and he has four criminal case against him and charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Chief Judicial Magistrate 4th, Khagaria in connection with Mansi P.S. Case No. 169 of 2023, 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. 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.

(Khatim Reza, J)

sankalp/-

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