

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25102 of 2024

Arising Out of PS. Case No.-178 Year-2023 Thana- CHACKMEHSI District- Samastipur

Manoj Kumar SON OF LATE ESHWAR PODDAR RESIDENT OF
VILLAGE- SARMASTPUR, PS- SAKARA, DISTT- MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raju Kumar, Advocate

For the Opposite Party/s : Mr.Ajay Kumar Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 27-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Chakmehsi P.S. Case No. 178 of 2023 registered for the
offences punishable under Section 414/34 of the Indian Penal
Code.

3. As per prosecution case, petitioner and other are
said to have been apprehended on the spot alongwith stolen
motorcycle.

4. Learned counsel for the petitioner submits that
the petitioner is quite innocent and has committed no offence as
alleged in the FIR and he has falsely been implicated in this case
merely on suspicion. Except suspicion, there is nothing on
record to demonstrate the complicity of the present petitioner



with the alleged occurrence. The petitioner is languishing in custody since 19.09.2023 and bears no criminal antecedent. Charge sheet has been submitted in this case and there is no likelihood of tampering with the prosecution evidence. He further submits that co-accused Vijay Kumar @ Vijay has already been granted bail by this Court vide Cr. Misc. No. 5144 of 2024 and on the principle of parity, the petitioner also deserves bail.

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, keeping in view clean antecedent of petitioner, co-accused has already been granted bail, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, 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 J.M. Ist Class, Samastipur in connection with Chakmehsi P.S. Case No. 178 of 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)

alok/-

U		T	
---	--	---	--

