

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23299 of 2024

Arising Out of PS. Case No.-215 Year-2023 Thana- MANSI District- Khagaria

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Bikesh Kumar S/O Chhataki Mandal R/O Village- Mehauri, P.S- Muffasil,
Dist.- Khagaria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Santosh Kumar Singh, Advocate

For the Opposite Party/s : Mr.Braj Kishore Pd.(APP)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 04-04-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Mansi P.S. Case No.215/2023 lodged on 23.07.2024 under
Section 392 of the Indian Penal Code.

3. As per the prosecution case, the FIR has been
lodged against three unknown accused persons with an
allegation of committing robbery of a motorcycle and cash
amount of Rs.4,000/-.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The
petitioner is not named in the FIR, rather his name has figured
in this case by virtue of confessional statement of co-accused.
Moreover, neither anything has been recovered from the



possession of the petitioner nor he has been put on the Test Identification Parade. The petitioner is accused in two more criminal cases and he is in custody since 23.11.2023.

5. Learned counsel for the State opposes the prayer for bail.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named be released on bail, **but only after framing of charge, if not framed**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Khagaria, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure with other following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;



(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

7. The learned court below shall release the petitioner on bail only after framing of charge, if not framed as well as on being satisfied that the petitioner is not absconding in any of the cases as mentioned in paragraph no.3 of the petition as under :-

- (1) Morkahi P.S. Case No. 102/2023
- (2) Khagaria (Muffasil) P.S. Case No. 897/2023

(Dr. Anshuman, J)

Ashwini/-

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