

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40491 of 2024

Arising Out of PS. Case No.-58 Year-2024 Thana- MANER District- Patna

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Ajit Kumar @ Kariman Kumar @ Kariman Son of Late Raju Ram R/O Vill.-
Kohari Tola, Hathiya Kandh Sarai, P.S.- Maner, Dist.- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary, Advocate

For the Opposite Party/s : Mrs. Indu Kumari Srivastava, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 18-09-2024 Heard Mr. Ghanshyam Tiwary, learned counsel for

the petitioner and Mrs. Indu Kumari Srivastava, learned APP for

the State.

2. Petitioner seeks bail, who is in custody since
04.02.2024, in connection with Maner P.S. Case No. 58 of 2024,
F.I.R. dated 26.01.2024 registered for the offences punishable
under Sections 365, 363 of the Indian Penal Code.

3. As per F.I.R. on 23.01.2024, the informant's son
Monu Kumar was taking bone-fire outside of the house and got
missing and the informant searched for him but did not get any
clue of him.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely
implicated in the present case merely on the basis of CCTV



footage which suggests that the petitioner was seen with the informant before the date of occurrence. He further submits that except the aforesaid, no other material has come during investigation to suggest the involvement of the petitioner in the present occurrence and even no one has seen the occurrence and no one is the eye witness of the alleged occurrence. He further submits that except the suspicion, no other material has come during investigation to suggest the involvement of the petitioner in the present occurrence. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 04.02.2024.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedent and except suspicion, no other material has come during investigation to suggest the involvement of the petitioner in the present occurrence, 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, Danapur,



Patna in connection with Maner P.S. Case No. 58 of 2024,
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 shall remain physically present as directed 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) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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