

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44423 of 2024

Arising Out of PS. Case No.-12 Year-2024 Thana- DAUDPUR District- Saran

Munna Kumar S/o Yogendra Manjhi R/o vill - Hansrajpur, P.S. - Baniyapur,
Distt. - Saran, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhijeet Abhigyan, Adv.

For the Opposite Party/s : Mr. Nagendra Prasad, APP.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 03-07-2024 Heard learned counsel appearing on behalf of the
petitioner and the learned APP for the State.

2. The petitioner seeks regular bail, who is in custody since 12.02.2024 in connection with Daudpur P.S. Case No. 12 of 2024 registered for the offence punishable under Sections 395 and 397 of the Indian Penal Code.

3. Allegedly while the informant was returning to his home in the meantime 8 miscreants came on three motorcycles and surrounded him. The miscreants after giving a blow of knife snatched the bag containing mobile and other valuables.

4. Learned counsel appearing on behalf of the petitioner contended that initially the FIR was instituted against unknown miscreants however during the course of investigation the co-accused Sandeep Kumar was apprehended in connection with Baniyapur P.S. Case No. 23 of 2024. The name of the



petitioner has surfaced on the confessional statement of co-accused Sandeep Kumar and save and except the confessional statement there is no material suggesting the complicity of the petitioner. The petitioner has been incarcerated since 12.02.2024 however till date neither the petitioner has been put on Test Identification Parade nor any incriminating material has been recovered from his conscious possession. It is lastly contended that in fact three criminal antecedents of the petitioner is the reason of his implication in the present crime.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that the petitioner appears to be habitual offender.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the entire case is based on confessional statement, coupled with the fact that the investigation of the crime is already complete and also the period of custody, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Court of Judicial Magistrate 1st Class, Saran at Chapra in connection with Daudpur P.S. Case No. 12 of 2024, , subject to the condition that one of the bailors will be the



close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) 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 antecedent, the court below shall take immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

7. The application stands allowed.

(Harish Kumar, J)

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