

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52584 of 2024

Arising Out of PS. Case No.-158 Year-2011 Thana- BASANTPUR District- Siwan

Manjesh Kumar Son of Nageshwar Singh @ Nageswar Singh Resident of
village - Kishunpura, Police Station - Basantpur, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-08-2024 Heard Mr. Ajay Kumar Tiwary, learned counsel for
the petitioner and learned Additional Public Prosecutor for the
State.

2. The petitioner is apprehending his arrest in
connection with Basantpur P.S Case No. 158 of 2011, F.I.R.
dated 19.10.2011 for the offences punishable under Sections
307, 147, 148, 149, 323, 341, 342, 427, 379, 332, 333, 353 and
325 of the Indian Penal Code.

3. According to prosecution case, on information that
some people caught a woman and kept under custody police
reached on spot and saw 500 persons gathered there and were
furious to attack on police party. When the informant with the
help of police started to rescue her, they surrounded the police
van and started pelting bricks and stones in which some police



personnel severely injured and vehicles were damaged.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and is innocent and he has falsely been implicated in the present case. Petitioner is not named in the FIR. The name of the petitioner has transpired on suspicion and except the suspicion there is no material to connect the petitioner with the present occurrence and other co-accused persons namely, Anita Devi, Rajesh Sah, Raj Kumar Prasad, Madina Bibi, Anup Tiwary and Nehaluddin have been granted anticipatory bail by different coordinate Bench of this Court.

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

6. Considering the aforesaid facts and circumstances of the case and considering that the petitioner has clean antecedent and he being not named in the FIR, let the petitioner above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-IX, Siwan in connection with Basantpur P.S. Case No. 158 of 2011, subject to



the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. 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.

ii. If the petitioner tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. 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 antecedent, the court below shall take step for cancellation of bail bonds 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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