

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65118 of 2024

Arising Out of PS. Case No.-981 Year-2023 Thana- KHAGARIA District- Khagaria

Manish Kumar @ Gholta Son of Late Triveni Singh R/O Sanhauri, P.S.-
Chitragupta Nagar, District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rahul Singh, Adv.

For the Opposite Party/s : Ms. Suman Kumari Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 06-09-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Khagaria P.S. Case No. 981 of 2023 instituted for the offences
under Sections 457, 380 of the Indian Penal Code.

3. As per prosecution case, the accusation against the
petitioner is of being involved in commission of theft of
household articles and golden jewelry from the house of the
Informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
The petitioner is not named in the F.I.R. and his name has



surfaced in this case on the basis of the confessional statement of co-accused persons. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. There is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The petitioner has no concern with the alleged occurrence. The petitioner has altogether nine criminal antecedents and in all of them, he is on bail. The petitioner has been remanded in this case on 30.09.2023 and, since then, he is in jail custody. Charge-sheet has been submitted against the petitioner under Section 457, 380 and 411 of the I.P.C.

5. Learned counsel for the petitioner again submits that the co-accused namely Aaditya Kumar has been granted bail by this Court vide order dated 09.04.2024 passed in Cr. Misc. No. 26657 of 2024.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, 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 Court below/concerned Court in connection with Khagaria P.S. Case No. 981 of 2023, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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