

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66362 of 2024

Arising Out of PS. Case No.-3 Year-2022 Thana- MANSI RAIL P.S. District- Khagaria

1. Ravi Shankar Son of Rajit Ram, resident of village-Takiya Kanoongo, Mustafabad, P.S-Bhiti District-Ambedkar Nagar (Uttar Pradesh)
2. Pradeep Kumar Gautam Son of Prahalad Gautam @ Prahlad Bharti village-Deenapur, Ps- Maharajganj, Distt- Faizabad (Ayodhya), UP

... .. Petitioner/s

Versus

1. The State of Bihar
2. Manoj Kumar Son of Late Shiya Sharan Thakur Village- Ayachigram Road No. 4, West, Kolhua Paigambarpur, PS- Ahilyarpur, Distt- Muzaffarpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate
For the Opposite Party/s : Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

4 04-12-2024 Heard Learned Counsel for the petitioners, Learned Counsel for the Informant and Learned Additional Public Prosecutor for the State.

2. The petitioners seek regular bail in connection with Mansi Rail P.S. Case No. 3 of 2022, lodged on 10.01.2022, under Sections 419, 420, 467, 468, 471, 472, 120B/34 of the I.P.C.

3. As per the prosecution, FIR has been lodged against five named accused persons, who have accepted money from the victims in the name of providing services.

4. Learned Counsel for the petitioners submits that



antecedent of petitioner No.1 is clean whereas antecedent of petitioner No.2 is not clean. There is one criminal case pending against him. Counsel submits that petitioners are ready to fulfill all the conditions whatsoever shall be imposed. Counsel also submits that petitioners have returned the money to the respective persons and in support of his pleading he has annexed the statement of account in the supplementary affidavit. But upon specific query, he submits that charge has not been framed in this case till date.

5. Learned Counsel for the informant submits that he has filed this criminal case in the official capacity and petitioners have committed wrong and they are always subject to the law of land.

6. Learned Counsel for the State opposes the prayer for bail.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioners, above named, be granted bail **only after framing of the charge, if not framed**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) each with two sureties of the like amount each to the satisfaction of Railway Magistrate, Khagariya, in connection with Mansi Rail P.S. Case No.3 of 2022, subject to the



following conditions:

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

(ii) The petitioners 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 their bail bonds by the Trial Court itself;

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

(iv) The petitioners 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 petitioners 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.

(Dr. Anshuman, J)

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