

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72769 of 2024

Arising Out of PS. Case No.-132 Year-2024 Thana- AMNAUR District- Saran

Pawan Kumar Manjhi @ Pawan Kumar Singh S/o Japani Manjhi R/o Village-Chainpur, P.S.- Kopa, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Adv.
For the Opposite Party/s : Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 17-10-2024 Heard Mr. Gajendra Kumar Singh, learned counsel
for the petitioner and the State.

2. The petitioner is in custody in connection with Amnour P.S. Case No. 132 of 2024 for the offence under Sections 498(A), (B), (C), (D) and 420/34 of the Indian Penal Code lodged on 08.05.2024 by the informant, Pintu Kumar.

3. As per the prosecution story, the informant alleged that on secret information, the house of Bacha Tiwari was raided and counterfeit currencies recovered/seized. Though accused tried to escape, they were arrested and disclosed their name as Bacha Tiwari, Dhiraj Kumar Singh, Pawan Kumar Manjhi (the petitioner herein) as also Pinku Tiwari. All kinds of notes from Rs. 500/- to 200/- and 100/- beside Rs. 20 were recovered/seized. Accordingly, the FIR.



4. Learned counsel for the petitioner submits that admittedly, the recovery/seizure is from the house of Bacha Tiwari, unfortunately, he was present in his house and the police implicated by putting certain notes in his possession. Petitioner do not have criminal antecedent and is in custody since 09.05.2024 (para-9 of the petition).

5. Learned APP opposes the prayer for bail submitting that not only he was arrested from the house of Bacha Tiwari, he was also possession of certain notes.

6. Allegation is there and the petitioner will be facing the trial, he has remained in custody since 09.05.2024, the recovery/seizure is from the house of Bacha Tiwari, he do not have criminal antecedent, this Court is inclined to extend him the privilege of bail with conditions. If, however, it is found that the petitioner has criminal antecedent, the bail order shall become infructuous.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty Five thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Saran at Chapra, in connection with Amnour P.S. Case No. 132 of 2024 subject to the following conditions:



(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and the failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for next one year to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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