

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74689 of 2023

Arising Out of PS. Case No.-121 Year-2020 Thana- JANDAHA District- Vaishali

Manish Kumar @ Manish Kumar Singh @ Manish Singh S/O Late Ashok
Kumar Singh Village- Nirpur, Ps. Muffasil, Dist. Samastipur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 29-02-2024 Heard Mr. Kundan Kumar, learned counsel for the
petitioner and Mr. Nirmal Kumar Sinha, learned APP for the
State.

2. The petitioner is apprehending his arrest
connection with Jandaha P.S. Case No. 121 of 2020, F.I.R. dated
03.08.2020 registered for the offences punishable under Section
392 of the Indian Penal Code and later on chargesheet has been
filed against the petitioner and other co-accused persons under
Sections 395 and 412 of the Indian Penal Code.

3. The F.I.R. of the occurrence of loot is against
unknown.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely
implicated in the present case. He further submits that the
petitioner is not named in the F.I.R. and the name of the



petitioner has been transpired during investigation on the basis of confessional statement of co-accused persons persons namely Brajesh Kumar and Manjay Lal Das which was recorded in paragraph nos. 49 and 69 of the case diary. He further submits that except the aforesaid, no other cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner and submits that from perusal of paragraph nos. 49 and 69 of the case diary co-accused persons have categorically stated that the petitioner was involved in the present crime in question and apart from that the petitioner is also involved in seven cases which is pending against the petitioner.

6. Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his 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 bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Jandaha P.S. Case No. 121 of 2020, subject to



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

(1) 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.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 bond 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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