

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77044 of 2024

Arising Out of PS. Case No.-444 Year-2024 Thana- PATRAKARNAGAR District- Patna

Manoj Kumar Sahani Son of Late Ramanand Sahani Resident of In front of
Malahi Pakri, Raymand Show Room Gali No. F-59, P.S.- Kankarbagh,
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binay Kumar Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 30-10-2024 Heard the parties.

2. The petitioner is in custody in connection with
Patrakar Nagar P.S. Case No. 444 of 2024 for the offence
punishable under sections 303(2) of B.N.S. lodged on
05.08.2024 by the informant, Sachin Kumar.

3. As per the prosecution story, the informant alleged
that he traveled in an auto carrying cash and silver ornaments
but when he alighted at Devan Diagnostics Centre, he left it in
the same auto. Later, the driver of the said auto, Manish Kumar
came back with the bag but the ornaments/cash were missing.
Later, it came to knowledge that this petitioner had also come to
park his auto and had gave the bag to him. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that the



petitioner had no role to play in the matter, he has no criminal antecedent, the recovery has been made near Ruban Diagnostics Centre and not from his personal possession.

5. Learned APP has taken this Court to the learned Sessions Judge order to show that the recovery is from the garage of the petitioner.

6. Learned counsel for the petitioner, at this stage, submits that the garage does not belong to him, as can be ascertained from his address incorporated in the petition.

7. Considering the submissions put forward by the parties as also the fact that he is in custody since 09.08.2024 (para 10 of the petition), FIR is there, he will be facing the music, has no criminal antecedent, this Court is inclined to extend him the privilege of bail with conditions.

8. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Patna in connection with Patrakar Nagar P.S. Case No. 444 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/her bona fide;



(ii) the petitioner 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 his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for six months 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 the 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)

Vijay Singh/-

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