

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85258 of 2024

Arising Out of PS. Case No.-55 Year-2024 Thana- SAHIYARA District- Sitamarhi

Manish Kumar S/o Yogendra Sah Resident of village- Mejorganj, P.s-
Mejorganj, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dwij Raj, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-12-2024 Heard Mr. Dwij Raj, learned counsel for the petitioner
and Mr. Umeshanand Pandit, learned APP for the State.

2. Petitioner seeks bail, who is in custody since
31.08.2024 in connection with Sahiryara P.S. Case No. 55 of
2024, F.I.R. dated 02.05.2024 registered for the offences
punishable under Sections 395, 397 of the Indian Penal Code.

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

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely been
implicated in the present case. 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 the confessional statement of co-
accused person, namely, Anish Sah and except the aforesaid, no



other cogent material has come during the investigation to suggest the involvement of the petitioner in the present occurrence and no TIP was conducted by the prosecution. The petitioner is in custody since 31.08.2024.

5. Learned counsel for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, let the petitioner, above named, 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, Sitamarhi in connection with Sahiryara P.S. Case No. 55 of 2024, subject to the 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, 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/her 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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