

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1853 of 2024

Arising Out of PS. Case No.-249 Year-2023 Thana- SARAI District- Vaishali

Manish Kumar Son Of Late Manoj Sah,R/V. Purani Bazar, Sarai, P.S.- Sarai
Dist.- Vaisahli

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 24-01-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with Sarai P.S. Case No.249 of 2023, lodged on 01.10.2023, under Sections 399/402/411/413 of the Indian Penal Code and under Sections 25(1-b)A/26/35 of the Arms Act.

3. As per the prosecution, FIR has been lodged against ten accused persons including the present petitioner. As per the allegation, the police has raided in a local Gumti where the accused persons of this case were apprehended and from different persons different articles have been recovered including arms. They have confessed before the police their involvement in different cases relating to loots of gold.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. He submits that the recovery of arms has been made from other accused persons from whose possession only mobile has been recovered. Counsel submits that the said mobile belongs to the petitioner and in this regard he has submitted receipt of purchase of mobile vide Annexure-3. The petitioner is in custody since 03.10.2023 having no criminal antecedent. Charge sheet has already been filed in this case. Counsel for the petitioner also submits that one accused from whose possession the cartridges have been recovered has been granted bail vide order dated 12.01.2024 passed in Cr. Misc. No.225 of 2024.

5. Learned counsel for the State opposes the prayer for bail.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner, above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-XVI, Vaishali at Hajipur, in connection with Sarai P.S. Case No.249 of 2023, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure with other following conditions:



(i) One of the bailor should be the family member 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 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 one year to mark attendance;

(iv) The petitioner 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 petitioner 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)

Mkr./-

U		T	
---	--	---	--

