

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32092 of 2025

Arising Out of PS. Case No.-205 Year-2024 Thana- MANIHARI District- Katihar

Md. Tanveer @ Tanveer @ Md. Tanwir S/o- Md. Jabir @ She Jabir Resident
of Village- Rasulpur PS- Manihari District- Katihar

.. ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Musowir, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 26-05-2025 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

2. This case was heard on 22.05.2025 and the bail was granted to the petitioner, however, during the course of signing of the said order, it was observed that the year of the P.S. case was inadvertently written as Manihari P.S. Case No. 205 of 2025 in place of Manihari P.S. Case No. 205 of 2024 in the prayer portion of the bail petition and hence the case was adjourned.

3. The learned counsel for the petitioner states that he shall be making necessary correction in the prayer portion during course of the day.

4. Permission, as prayed for, is accorded.

5. The petitioner seeks regular bail in connection with Manihari P.S. Case No. 205 of 2024 registered for the



offences under Section 309(2) of the BNS.

6. As per the prosecution case the informant has alleged that two unknown persons had reserved his *Toto* (autorickshaw) and the accused persons have snatched away his silver chain and looted the charger and battery on the point of dagger.

7. Learned counsel for the petitioner submits that the petitioner is not named in the F.I.R. and his name has surfaced during the course of investigation on the information given by a spy. It is next submitted that there is no recovery from the conscious possession of the petitioner and till date no TIP has been conducted. It has also been submitted that there is no criminal antecedent of the petitioner and he is in custody since 20.11.2024.

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

9. Considering the aforesaid facts and submissions made by the learned counsel for the parties and taking into account that no incriminating article has been recovered from the conscious possession and the period of custody undergone, let the petitioner, above



named, be released on bail, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Katihar, District- Katihar, in connection with Manihari P.S. Case No. 205 of 2024, subject to the conditions that:

a. One of the bailors of the petitioner shall be his/her close relative.

b. The petitioner shall remain physically present in Court on each date of trial.

c. In case of absence on two consecutive dates, or in violation of the terms of the bail and if the prosecution finds the involvement of the petitioner in similar nature of offence, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

d. 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 bonds 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.

e. If the petitioner is found involved in a similar nature of offence, the prosecution shall be at liberty to move the lower court for cancellation of bail.

(Sourendra Pandey, J)

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