

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.33486 of 2025**

Arising Out of PS. Case No.-354 Year-2024 Thana- BAIKUNTHPUR District- Gopalganj

Manish Kushwaha @ Manish Kumar S/O Sakendra Kushwaha @ Sakendra Prasad Resident of Village- Rajapur Ahirauliya, PS- Kotwa, Distt-East Champaran(Motihari)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Ms. Shaheen Begum, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      21-05-2025                      Heard Mr. Saurabh Kumar, learned counsel for the petitioner and Ms. Shaheen Begum, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Baikunthpur P.S. Case No. 354 of 2024, F.I.R. dated 02.11.2024 for the offences punishable under Sections 303(2), 62, 317(5), 111, 112, 3(5) of the B.N.S.

3. According to prosecution case, some persons from a village caught three thief in theft of tractor and the apprehended persons disclosed the name of the persons and they also said that they used sell and purchase of stolen tractor.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the



present case on the basis of the confessional statement by the co-accused persons, namely, Sanjeev Kumar @ Sanju and the except the aforesaid, no other cogent material has come during investigation, which suggests the involvement of the petitioner in the present occurrence.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, the petitioner has clean antecedent and the name of the petitioner has been transpired on the basis of confessional statement made by the co-accused person, namely, Sanjeev Kumar, let the petitioner, above named, in the event of 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/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-I, Gopalganj in connection with Baikunthpur P.S. Case No. 354 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/482(2) of the B.N.S.S., 2023 and with other following conditions:-

i. 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.

ii. 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.

iii. 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)**

Jyoti Kumari/-

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