

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88479 of 2024

Arising Out of PS. Case No.-337 Year-2023 Thana- TAJPUR District- Samastipur

Manish Kumar Son of Rudneshwar Ray @ Rudal Ray Resident of Village -
Bhatgama, P.S. - Ghatho, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 11-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Tajpur
P.S. Case No. 337 of 2023 dated 14.06.2023 for the alleged
offence under section 392 of the Indian Penal Code.

3. As per the prosecution case, three miscreants who
were riding a motorcycle chased the informant and on gun point
looted his car keys, mobile phone and cash worth Rs. 9200/-
along with other documents like PAN Card and Aadhar Card.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and is not named in the FIR and his name
has surfaced on the confessional statement of one co-accused
namely Kundan Kumar. He further submits that incriminating
article has been recovered from the conscious possession of the



petitioner. Learned counsel however admits that the petitioner has criminal antecedent of six cases and he was remanded in the present case on the basis of confessional statement of a co-accused.

5. Learned APP for the State opposes the prayer for bail seeking that the petitioner is a habitual offender and he carries similar antecedent and does not deserve the liberty of bail.

6. From perusal of the FIR and the prosecution story it is evident that the petitioner was not named in the FIR and his name has surfaced on the basis of confessional statement of one co-accused, taking the said into account let the petitioner be enlarged 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 the learned Additional Chief Judicial Magistrate-I, Samastipur, in connection with Tajpur P.S. Case No. 337 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of BNSS as well as subject to the following conditions:-

(i) one of the bailors will be a close relative of the petitioner.



(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(iv) If offences of similar nature is alleged against the petitioner, then the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Sourendra Pandey, J)

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