

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35338 of 2018

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Manish Kumar @ Manish Kumar Yadav Son of Vijay Kanti Yadav @
Vijay Kumar Yadav, resident of Village- Tarwan Majhauriya, P.S.- Paroo,
District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Adv.

For the Opposite Party/s : Mr. Manoj Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 28-06-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection
with Kathaiya P.S.Case No. 111 of 2017 registered under Sections
401 of the Indian Penal Code and 25(1-B)(a), 26 and 35 of the
Arms Act.

It is submitted by the learned counsel for the
petitioner that the name of the petitioner has transpired in the
confession made by co-accused Jitendra Kumar. He submitted that
similarly circumstanced co-accused Pawan Kumar Sahani has
already been granted pre-arrest bail by a Bench of this Court by
order dated 12.01.2018 passed in Cr.Misc. No. 63580 of 2017.
The Further submission is that the petitioner has got no criminal



antecedent and apart from confessional statement of co-accused Jitendra Kumar, there is no other material to connect him with the offence.

Learned counsel for the State opposed the application for grant of pre-arrest bail of the petitioner. However, he concedes that the case of the petitioner is on identical footing to that of Pawan Kumar Sahani.

Regard being had to the facts and circumstances of the case, in the event of arrest or surrender before the court below within four weeks from today, the petitioner is directed to 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 the learned A.C.J.M.-II (West), Muzaffarpur in connection with Kathaiya P.S.Case No. 111 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Pradeep/-

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