

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49113 of 2019

Arising Out of PS. Case No.-1042 Year-2018 Thana- MOTIPUR District- Muzaffarpur

MANISH PATHAK @ MANISH KUMAR PATHAK, aged about 25 years,
Sex-Male, Son of Paras Pathak Resident of Village - Vishunpur Horil, P.S.-
Baruraj, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yugal Kishore, Adv.

For the Opposite Party/s : Mr. Shyameshwar Dayal (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 16-11-2019 Heard learned counsel for the parties.

Petitioner, apprehends his arrest in connection with
Motipur P.S. Case No. 1042 of 2018 registered for the offences
punishable under Sections 399, 402, 307, 414, 353 of the Indian
Penal Code and Section 25(1-a)b/26/27/35 of Arms Act.

Informant is the police officer, who in his self-
statement has stated that on 29.12.2018 at about 11:30 A.M. he
along with other police personnel were on day patrolling and
during vehicle checking one motorcycle having no number plate
was seen being ridden by two persons and on asking them to
stop the motorcycle they started fleeing away and it is further
alleged that they fired upon the police party and one of the
accused Vikash Kumar Chaudhary was arrested and other



accused Bhibhuti Paswan managed to escape thereafter at the instance of Vikash Kumar, Ratnesh Pandey was also apprehended with one loaded pistol and thereafter Anil Kumar Singh was also arrested with a loaded pistol. All the apprehended accused disclosed that they had assembled to snatch the money from customers of Bank and in which Manish Pathak (petitioner), Raja @ Reja, Raja Kumar and Bhibhuti Paswan and other are also associated, however they managed to escape.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. Petitioner was not found on the spot nor anything has been recovered from him. The name of petitioner has come in the confessional statement made by accused Vikash Kumar Chaudhary in which he has confessed involvement of the petitioner in other crimes also but petitioner has no criminal antecedent. Chargesheet has already been submitted against the apprehended accused and investigation is pending against the petitioner.

Considering the facts and circumstances of the present case, let petitioner, above named, in the event of arrest or surrender within a period of four weeks from the date of



receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. (W), Muzaffarpur, in connection with Motipur P.S. Case No. 1042 of 2018, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure subject to verification that petitioner has no criminal antecedent.

(S. Kumar, J)

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