

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80356 of 2019**

Arising Out of PS. Case No.-527 Year-2018 Thana- NAWADA District- Nawada

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MANOJ KUMAR @ MANOJ MAHTO @ RAM SEVAK KUMAR, (Male),
aged about 26 years, Son of Late Kuldeep Mahto, Resident of Village -
Kamalpura, P.S.- Nawada, Distt.- Nawada.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Umesh Prasad, Advocate.

For the Opposite Party : Mr.Shailendra Kumar, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER**

2 06-12-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case for the offence
registered under Sections 392, 411 and 414/34 of the IPC.

The prosecution story, in brief, is that on 28.07.2018
while the informant being the driver of Pick-up Van was going
to Lakhisarai with loaded dressed Coconut, in the way, four
criminals stopped the said vehicle and one of the criminals
assaulted the informant and on the point of pistol, snatched the
Mobile and Pick-up Van of the informant and fled away.

It has been submitted by learned counsel for the
petitioner that the petitioner is in custody since 21.10.2019. The
petitioner has falsely been implicated in the present case. There



is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. The name of the petitioner has come in the present case on the basis of confessional statement of co-accused Sanjay Choudhary due to previous enmity. Except for this, there is no substantive evidence to suggest the implication of the petitioner in the present case. There is no recovery of incriminating article from possession of the petitioner. The petitioner has not been put on T.I. Parade to ascertain his participation in the alleged occurrence.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Nawada, in connection with Nawada Town (Kadirganj) P.S. Case No. 527 of 2018.

(Sudhir Singh, J)

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