

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23182 of 2020

Arising Out of PS. Case No.-32 Year-2019 Thana- KHAGAUL District- Patna

Manish Kumar @ Rajnish Kumar Son of Indrasen Kumar Resident of
Village-Dilawarpur, P.S.-Bihta, District-Patna ... Petitioner
Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr.Ashok Kumar Sinha, Advocate
For the Opposite Party : Mr.Bhanu Pratap Singh, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 08-09-2020 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor representing the State.

The petitioner seeks bail in a case registered for the
offence punishable under sections and other ancillary sections of
the Indian Penal Code.

On some suspicion police accosted some miscreants
and arrested one of them, namely, Sunny Kumar, while others
escaped making firing. Petitioner has been named by said Sunny
Kumar, as his accomplice who managed to escape by making
firing on the police party.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated/arrested in this case on the
confessional statement of co-accused Sunny Kumar. Petitioner
has neither been apprehended on the spot nor anything
incriminating has been recovered from his possession to connect
him with the occurrence. He has got no criminal antecedent and
he is in custody since 14.5.2020. Co-accused Sunny Kumar,
who was apprehended on the spot, has already been allowed bail
by a bench of this Court vide order dated 1.5.2019, passed in
Cr.Mis.No. 28426/2019.



In the facts of the case, prayer for bail of the petitioner is allowed. Let the petitioner mentioned above be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate V, Danapur, Patna in Khagaul Police Station Case No. 32 of 2019, on the following conditions:-

(1) 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) 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.

(Prabhat Kumar Singh, J)

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