

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40227 of 2020

Arising Out of PS. Case No.-81 Year-2020 Thana- SIDHWALIYA District- Gopalganj

MANISH PATEL @ MANISH KUMAR PATEL @ MANISH KUMAR SON
OF BIRENDRA PATEL @ VIRENDRA PATEL @ VIRENDRA Resident Of
Village- Salemgarh, Chhaunipur, P. S. - Yareya Sujan, District - Kushinagar,
(Uttar Praesh).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 23-02-2021 Heard Mr. Lokesh Kumar Singh, learned counsel for

the petitioner and Mr. Nand Kumar, Additional Public

Prosecutor for the State.

2. Petitioner seeks regular bail in connection with
Sidhwalia PS Case No. 81/2020 registered for the offence
punishable under Sections 399, 402, 411, 412, 414, 332, 333,
307 of the IPC and Section 25(1-b)a, 26, 27, 35 of the Arms Act
and also Sections 8(c), 120(b), (ii), (B) of the NDPS Act.

3. The allegation, as per First Information Report, is
that the police, on the basis of secret information that a few
miscreants have assembled in the field near Ladauli High
School, Sidhwalia and were planning to commit robbery,
proceeded to the place of occurrence and apprehended the



petitioner as well as other accused persons along with fire-arms, Ganja and motorcycle. It is further alleged that from possession of the petitioner, one knife and a mobile phone have been recovered as well as one laptop has also been recovered from his house upon his indication.

4. Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case with oblique motive. Learned counsel further submits that except one knife, no incriminating material has been recovered from the possession of the petitioner and he has been remanded in three other cases after his arrest in the present case by the police.

5. Learned counsel next submits that petitioner is in custody since 16.05.2020 and the co-accused person, namely, Golu Kumar, from whose possession fire-arm was recovered, has been granted bail by a Bench of this Court *vide* Cr. Misc. No. 34723/2020.

6. Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that the co-accused person, namely, Golu Kumar, from whose possession fire-arm was recovered, has been granted bail by a Bench of this Court *vide* Cr. Misc. No. 34723/2020 and



petitioner is in custody since 16.05.2020, I am inclined to grant regular bail to the petitioner.

7. Accordingly, let the petitioner, MANISH PATEL @ MANISH KUMAR PATEL @ MANISH KUMAR be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge, Gopalganj in connection with Trial Case No. 09/2020 arising out of Sidhwalia PS Case No. 81/2020.

8. Needless to say that at the time of furnishing bail bonds all the parties shall follow the guidelines of social distancing.

(Anil Kumar Sinha, J)

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