

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13165 of 2022

Arising Out of PS. Case No.-710 Year-2021 Thana- HAJIPUR SADAR District- Vaishali

MANJEET @ LAKHAN @ SUNNY Son of Mahesh Prasad Singh Resident
of Village - Dudhaila Gachhi, P.S.- Sonpur, District - Saran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Ranjana Srivastava, Adv.

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

4 22-12-2022

Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 414, 399 and 402 of the Indian Penal Code and sections 25(1-B)(a), 26 and 35 of the Arms Act.

As per the prosecution case, on a secret information having been received, a raid was conducted. While four accused persons were caught, it is stated that two of them managed to escape. From the accused persons, who were caught, it is alleged that country made pistol, live cartridges besides other articles as mentioned in the F.I.R. were recovered. It is further stated that the accused persons disclosed the name of the petitioner amongst the persons who managed to escape.

It is submitted by learned counsel for the petitioner



that the petitioner has been falsely implicated in the case. Neither he was arrested at the spot nor any incriminating article was recovered from his possession. The only material against him is the confessional statement of co-accused made before police. He is in custody since 18.12.2021 and chargesheet has been submitted in the case.

Heard learned A.P.P. for the State. It is submitted by learned A.P.P. for the State that the petitioner has several antecedents.

Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner in the F.I.R., the petitioner not having been arrested at the spot, his having remained in custody for 1 year since 18.12.2021 and chargesheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Hajipur Sadar P.S. Case no.710 of 2021 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 Chief Judicial Magistrate, Vaishali (Hajipur).

(Partha Sarthy, J)

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