

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46708 of 2021

Arising Out of PS. Case No.-106 Year-2021 Thana- RANIGANJ District- Araria

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1. SANNEE KUMAR S/o NAVPRAKASH MANDAL R/o VILLAGE-SIMARBANI, P.S-BHARGAMA, DISTRICT-ARARIA.
 2. PRIYANSHU KUMAR MANDAL @ PRIYANSHU KR. MANDAL @ PRIYANSHU KUMAR S/o SHIV NATH MANDAL R/o VILLAGE-SIMARBANI, P.S-BHARGAMA, DISTRICT-ARARIA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha
For the Opposite Party/s : Mr.Rajiv Nayan

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 28-02-2022 Heard the learned counsel for the petitioners
and the learned APP for the State.

The petitioners seek regular bail in connection with Raniganj P.S. Case No. 106/2021 (G.R./CIS No. 1152/2021), registered for the offence punishable under Section 392 of the Indian Penal Code and Section 25(1-b)a/26/27 of the Arms Act.

The allegation is regarding altercation having taken place in between unknown miscreants and the Nozzle man of the petrol pump on account of certain disputes having taken



place regarding payment of the price of the petrol, which the miscreants had got filled in their motorcycle. It is also alleged that one of the miscreant had fired, however, the same did not hit anyone.

The learned counsel for the petitioners has submitted that the petitioners are innocent, they have been falsely implicated in the present case and they are languishing in custody since 16.4.2021. It is stated that as far as the petitioner no. 2 is concerned, he is having a clean antecedent and as far as the petitioner no. 1 is concerned, he is an accused in one other case, but he is on bail in the said case. It is next submitted that no Test Identification Parade has been held till date so as to connect the petitioners with the alleged crime. Lastly, it is submitted that the petitioners are not named in the FIR and they have been made accused in the present case merely on suspicion.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.



Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioners and taking into account the materials available on record as also considering the fact that no Test Identification Parade has been held so as to connect the petitioner with the alleged crime, the petitioner no. 2 is having a clean antecedent while the petitioner no. 1 is an accused in one other case, but he is no bail in the said case and moreover, evidently on the face of the record, there appears to be minuscule evidence so as to connect the petitioners with the alleged crime, I deem it fit and proper to direct for release of the petitioners on regular bail.

Accordingly, the above named petitioners are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned CJM, Araria in connection with Raniganj P.S. Case No. 106/2021(G.R./CIS No.



1152/2021).

(Mohit Kumar Shah, J)

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