

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68992 of 2021

Arising Out of PS. Case No.-312 Year-2019 Thana- WARISLIGANJ District- Nawada

MANOJ KUMAR @ MANOJ SINGH Son of Ramashish Singh @ Bengali
Singh Resident of Village - Sobhanpur, P.S.- Warisaliganj, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Mrigendra Kumar
For the Opposite Party/s :	Mr.Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 07-06-2022 Heard.

The petitioner seeks regular bail in connection with Warisaliganj P.S. Case No. 312 of 2019, registered for the offence punishable under section 395 of the Indian Penal Code.

The allegation is regarding the vehicle in question having been hired by one person for going to Hilsa, whereafter the informant along with the said person had set out on the scheduled journey, however, on the way in the night, the said person had made the informant stop the car in a lonely place and then the other accused persons had arrived at the said place of occurrence whereupon the informant was forced to get out of the car in question, thereafter they had fled away with the car in question.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and is languishing in custody



since 09.04.2020. The learned counsel for the petitioner has submitted that though the petitioner is an accused in one case, but he is on bail in the said case. The learned counsel for the petitioner has also filed a hard copy of the supplementary affidavit on behalf of the petitioner mentioning therein about the detail of the criminal cases pending against the petitioner, which has been taken on record. The learned counsel for the petitioner has referred to paragraph no. 8 of the present petition to submit that the name of the petitioner has transpired in the present case merely on the basis of confessional statement made by the co-accused person, however, the petitioner is having no complicity in the said case. It is further submitted that similarly situated co-accused persons have already been granted bail by the co-ordinate Benches of this Court vide order dated 19.12.2019 and 2.6.2020 passed in Cr. Misc. No. 84466 of 2019 and Cr. Misc. No. 9641 of 2020, respectively.

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 parties and taking into account the materials available on record as also considering the parity of the case of the petitioner with that of the co-accused persons who have already been granted bail by the Co-ordinate Benches of this Court apart



from the fact that name of the petitioner has transpired in the present case on the basis of the confessional statement made by the co-accused person, I deem it fit and proper to admit the petitioner to the privilege of regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned court of A.C.J.M.-II, Nawada in connection with Warisaliganj P.S. Case No. 312 of 2019.

(Mohit Kumar Shah, J)

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