

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7962 of 2023

Arising Out of PS. Case No.-56 Year-2017 Thana- BUDDHACOLONY District- Patna

Manish Kumar Son Of Jay Prakash Mandal R/O Mohalla- Uttari Mandiri,
Chhakkan Tola, P.S.- Buddha Colony, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raja Ram Mishra

For the Opposite Party/s : Mr.Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302/34 of the Indian Penal Code and Section 27 of Arms Act.

The prosecution story, in brief, is that while the brother of the informant was coming back after attending a marriage and near Indradeo Jee Hotel, 4-5 miscreants having armed with pistols in their hands, encircled his brother and fired upon him as a result of which he succumbed to injury. It is further alleged that the petitioner is indulged in hatching conspiracy to kill the informant's brother in connivance with others accused persons.



Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The informant is not an eye-witness of the alleged occurrence rather he has falsely implicated the petitioner in this case on the basis of suspicion. From perusal of FIR, there is no specific allegation against the petitioner rather the allegation is general and omnibus in nature. Moreover, similarly situated co-accused namely, Randhir Yadav has already been granted bail by a co-ordinate Bench of this Court vide order 19.8.2017 passed in Cr. Misc. No. 39698 of 2017 and in support of this Annexure-2 series has been annexed with this petition. It is further submitted that the petitioner is languishing in judicial custody since 14.8.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Buddha colony P.S. Case No. 56 of 2017 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the



satisfaction of learned J.M. 1st Class, Patna.

(Sunil Kumar Panwar, J)

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