

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5286 of 2023

Arising Out of PS. Case No.-387 Year-2021 Thana- ROSERA District- Samastipur

Manish @ Manish Kumar Son of Bhatari Mandal @ Bhatari Mandal R/v- Pura
(Ilmasnagar), P.S.- Hathauri (Shivajee Nagar O.P.), District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Sarbottam Kumar Sarkar, Advocate

For the Opposite Party/s : Mr. Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 28-04-2023 1. Heard learned counsel for the petitioner and the learned
APP for the State.
2. Petitioner seeks regular bail in connection with Rosera P.S.
Case No. 387 of 2021 dated 02.12.2021 registered for the offences
punishable under Sections 272, 273 and 34 of the Indian Penal
Code and Section 30(a) of Bihar Prohibition and Excise Act.
3. The main submissions advanced by learned counsel for
petitioner are that the petitioner was not arrested at the spot and his
name surfaced in the confessional statement of Arman Mallick and
Md. Irshad and they also disclosed the name of other co-accused
persons and the petitioner was arrested eleven months after the
alleged recovery and co-accused persons namely, Arman Mallick,
Md. Irshad, Md. Sharif and Amarnath Mahto have been granted
bail by different benches of this Court vide orders passed in Cr.
Misc. No. 7585 of 2022, Cr. Misc. No. 11684 of 2022 and Cr.

Misc. No. 28016 of 2022 respectively and the case of this petitioner is completely identical to the case of Amarnath Mahto and in the present matter the petitioner has been languishing in jail since 21.11.2022 and against him there is criminal antecedent of one case in which he is on bail.

4. Learned APP for the State has opposed the bail prayer of the petitioner.

5. Considering the above submissions and mainly the privilege of bail having been granted to several co-accused persons mentioned above including the co-accused Arman Mallick and Md. Irshad who were apprehended at the spot and disclosed the name of this petitioner and against the petitioner the investigation has been completed, in my opinion, it is a fit case for bail to the petitioner. Accordingly, let the petitioner named above be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of concerned Court in connection with Rosera P.S. Case No. 387 of 2021.

(Shailendra Singh, J)

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