

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6600 of 2023

Arising Out of PS. Case No.-498 Year-2022 Thana- FORBESGANJ District- Araria

Manish Kumar @ Manish Kumar Derve S/O Deepak Derve @ Dipak Darvey
R/V- Khaira Chanda Ward No. 02, P.S.- Narpatganj, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana

For the Opposite Party/s : Mr. Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 11-05-2023 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 section 392 of the Indian Penal Code.

As per prosecution case, while the informant was returning after collecting cash of Rs. 8,94,671/-, meanwhile two culprits boarded on motorcycle came near him and snatched his bag containing aforesaid amount on pistol point thereafter they fled away.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is not named in FIR rather he has falsely been implicated in this case on the basis of suspicion. Neither the petitioner has been put on TI Parade nor any incriminating



article has been recovered from his conscious possession. It is further submitted that co-accused Shyam Sunder Kumar has been arrested in other case who confessed the complicity of the petitioner in his confessional statement which has got no evidentiary value in the eye of law. Moreover, similarly situated co-accused namely, Vivek Kumar has already been granted bail by this Court vide order 5.5.2023 passed in Cr. Misc. No. 12188 of 2023. It is further submitted that the petitioner is languishing in judicial custody since 23.8.2022.

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 Forbesganj P.S. Case No. 498 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Araria.

(Sunil Kumar Panwar, J)

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