

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6297 of 2023

Arising Out of PS. Case No.-806 Year-2022 Thana- KHAJANCHI HAT District- Purnia

MANISH KUMAR S/O MUKESH YADAV R/v- Domohna, P.S.- Mahal
Gaon, District- Araria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal

For the Opposite Party/s : Mr. Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 19-06-2023 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.

As per prosecution case, on the alleged date of occurrence, the informant came to know that her son namely, Santosh Kumar was lying in the west direction of N.H. 31 in injured condition. She reached there and took him to hospital where he was declared dead. It is further alleged that prior to this incident other co-accused persons threatened his son and on the basis of which, this case has been lodged.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The



petitioner is not named in the FIR rather he has falsely been implicated in this case. The name of the petitioner came into light on the basis of statement of spy thereafter, the police arrested the petitioner who confessed that he dashed the deceased by way of his four wheeler vehicle. It is further submitted that so called confessional statement of the petitioner before the police is inadmissible in the eye of law. Moreover, the petitioner is languishing in judicial custody since 13.9.2022.

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 K. Hat (Maranga) P.S. Case No. 806 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., Purnea.

(Sunil Kumar Panwar, J)

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