

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 14898 of 2023

Arising Out of PS. Case No.-82 Year-2022 Thana- KATIHAR MUFFASIL District- Katihar

Manish Khalifa @ Fantush S/O Firoj Khalifa R/O Mohalla- Kulipara, P.S.-
Nagar, District- Katihar

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vaishnavi Singh

For the Opposite Party/s : Mr.Anant Kumar 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 20-06-2023 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 394, 302/34 of the Indian Penal Code and Section 27 of the Arms Act and charge sheet has been submitted under Section 396, 302/34, 412, 120B of the Indian Penal Code.

As per FIR, the allegation against the unknown persons is that when the informant and deceased/cashier were going with a cash bag, in the meantime, two unknown miscreants boarded on a motorcycle came and tried to snatch the cash bag and when the deceased protested one miscreant fired 4-5 round on his head and fled away with



cash bag and due to open fire the deceased sustained injuries and during treatment he died.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on the basis of confessional statement of co-accused. The petitioner is not named in the FIR nor recovered money put on TIP. Similarly situated co-accused has already been granted bail by this Court vide order dated 28.02.2023 passed in Cr. Misc. No. 64348 of 2022. It is further submitted that the petitioner suo-motu surrendered in another case of Ajam Nagar P.S. Case No. 1482 of 2022 and he was remanded in this present case on 29.05.2022 and since then he is languishing in judicial custody.

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 Muffasil



P.S. Case No. 82 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 Sessions Judge, Katihar.

(Sunil Kumar Panwar, J)

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