

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11942 of 2023

Arising Out of PS. Case No.-243 Year-2021 Thana- DALSINGHSARAI District- Samastipur

MANISH KUMAR @ MANISH SINGH @ RAJA S/o Ram Singh @ Ram Prasad Singh R/o Nirpur, ward no. 4, PS- Samastipur (Moffusil), Distt- Samastipur, Bihar-848101.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Piyush Kumar Pandey

For the Opposite Party/s : Mr.Bharat Bhushan,App,156

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 of the Indian Penal Code and Section 27 of Arms Act.

As per prosecution case, the allegation against the petitioner is to commit robbery along with other co-accused persons and while committing so, taken away cash of Rs. 4,25,000/-. When Sunil Kumar Rai and Md. Pappu @Md. Anisul Rahman tried to opposed them, both were shot dead by the accused persons.

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 on the basis of confessional statement of other co-accused as well as CCTV footage. It is further submitted that as alleged recovered articles from possession of the petitioner have not been identified so it may not clear that the alleged recovery is looted. There is nothing on record which suggests to connect the petitioner with the alleged occurrence. Moreover, similarly situated co-accused namely, Jainathh Kumar Paswan has already been granted bail by a co-ordinate Bench of this Court vide order dated 2.8.2022 passed in Cr. Misc. No. 15775 of 2022. It is further also that the petitioner has not been put on TI Parade and he is languishing in judicial custody since 21.10.2021.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the petitioner has got several criminal antecedents.

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 Dalsinghsarai P.S. Case No. 243 of 2021 on furnishing bail bond of Rs.10,000/- (ten



thousand) with two sureties of the like amount each to the
satisfaction of learned Chief Judicial Magistrate, Samastipur.

(Sunil Kumar Panwar, J)

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