

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12657 of 2023

Arising Out of PS. Case No.-395 Year-2022 Thana- KANTI District- Muzaffarpur

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MANOJ KUMAR SON OF RAMBABU SAH R/O KALI MANDIR,
CHHAPRA, P.S.- KANTI, DISTRICT- MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mr.Zainul Abedin

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-05-2023 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 sections 406, 420, 395 and 412 of the Indian Penal Code.

As per allegation in the FIR, 3-4 unknown miscreants have snatched the key of the pick-up van on pistol point which was being driven by the informant. It is further alleged that they assaulted and pushed him away from the vehicle and thereafter, they fled away from his vehicle.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. Neither the petitioner is named in the FIR not put on TIP. There is no eye witness of the alleged occurrence. Nothing has been



recovered from his conscious possession rather the recovery has been made from co-accused Randhir Sahani. His name transpired in this case on the basis of confessional statement of co-accused Rahul Kumar, before the police, which has no evidentiary value in the eye of law. Similarly situated other co-accused person has already been granted bail by this Court vide order dated 24.4.2023 passed in Cr. Misc. No. 11930 of 2023. Petitioner is languishing in judicial custody since 29.09.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Muzaffarpur (West) in connection with Kanti P.S. Case No. 395 of 2022.

(Sunil Kumar Panwar, J)

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