

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25702 of 2023

Arising Out of PS. Case No.-104 Year-2022 Thana- PIPRA District- Patna

Manoj Kumar @ Daroga Son of Late Sita Ram Singh Resident of village-
Dihari, P.S.-Pipara, District-Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Advocate
Ms. Priyanka Singh, Advocate
For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 23-05-2023 Heard learned senior counsel for the petitioner and
learned APP for the State.

2. In the present case, the petitioner seeks bail in connection with Pipra P.S. Case No. 104 of 2022 registered on 20.11.2022 for the alleged offences under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, the son of the informant was shot dead. The informant named some persons who might be involved in the murder of the deceased. The petitioner is not one of them, though his name came up during investigation in the confessional statement of co-accused Rudal Ravidas.

4. Learned senior counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in



this case. The allegation is that the deceased was talking with other co-accused persons. The name of the petitioner transpired in the confessional statement of co-accused Rudal Ravidas, who has been granted bail by the learned court below. Moreover, the petitioner has no concern with any land dispute between the co-accused persons and the deceased. Learned senior counsel further submits that there is no cogent material to connect the petitioner with offence as alleged except the confessional statement. The petitioner is in custody since 23.11.2022 and charge sheet has been submitted. The petitioner has got criminal antecedent of one case under Excise Act.

5. Learned APP opposes the prayer for bail.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that there is no substantive material to connect the petitioner with the offence as alleged and further considering the period of custody of the petitioner and submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Masaurhi, Patna/concerned court in connection with Pipra P.S. Case No. 104 of 2022, subject to the conditions mentioned in Section



437(3) of the Code of Criminal Procedure and also the following conditions :

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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