

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23825 of 2022

Arising Out of PS. Case No.-294 Year-2021 Thana- SHASTRINAGAR District- Patna

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BINDU MANJHI S/o Binod Manjhi Resident of Village- Abbu Lodipur, P.S.-
Janipur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manish Kumar No2, Adv.

For the Opposite Party/s : Mr.Atul Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

7 19-01-2023 Heard the learned counsel for the
petitioner and the learned APP for the State.

The petitioner seeks regular bail in connection with Shastri Nagar P.S. Case No. 294 of 2021 (G.R. No. 5047 of 2021), registered for the offence punishable under Section 394 of the Indian Penal Code and Section 27 of the Arms Act.

The accusation is regarding unknown miscreants having snatched the gold chain of the informant and when she had raised an alarm and her brother-in-law had arrived there, the said miscreants had fired gunshot, resulting in the



brother-in-law of the informant sustaining firearm injury on his chest.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 16.09.2021. The learned counsel for the petitioner has further submitted that the name of the petitioner has transpired in the present case, upon confessional statement made by the co-accused person, namely, Sanjeev Kumar. It is also submitted that a part of the gold chain has been recovered from the petitioner, however, the said gold chain was given in lieu of the outstanding wages of the petitioner for the period he had worked as a daily wager in the house of one Sanjeev Kumar.

Per contra, the learned APP for the State has referred to paragraph no. 169 of the case diary and has submitted that the co-accused persons, Shailesh Kumar and Sanjeev Kumar, were put on Test Identification Parade and the informant has



recognized them to be the perpetrators of crime. However, it is submitted that the petitioner has not been put on Test Identification Parade till date.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials on record as also considering the fact that two unknown persons have been alleged to have snatched gold chain from the informant and fired gunshot on the chest of the brother-in-law of the informant and the said two unknown miscreants have subsequently been identified during the course of Test Identification Parade held in connection with the present case and it has been found that the said miscreants are Shailesh Kumar and Sanjeev Kumar, this Court finds that as far as the petitioner is concerned, he is not having complicity in the alleged crime, hence, I deem it fit and proper to direct for release of the petitioner on regular bail.



Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate- IVth, Patna in connection with Shastri Nagar P.S. Case No. 294 of 2021 (G.R. No. 5047 of 2021).

(Mohit Kumar Shah, J)

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