

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41769 of 2023

Arising Out of PS. Case No.-257 Year-2023 Thana- CIVIL LINE District- Gaya

Manish Kumar Son of Late Sacchidanand Sinha R/O- Red Cross Hospital
Panchkuti Ps- Rampur Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Singh, Advocate

For the Opposite Party/s : Ms. Sangeeta Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 14-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Civil Lines P.S. Case No. 257 of 2023 dated 13.04.2023, instituted for the offence punishable under Sections 147, 149, 420, 467, 468, 471, 456, 427, 379 of the Indian Penal Code.

3. The prosecution case, in short, is that on 12.04.2023 at about 09.30 pm, the informant, after received information, went to the place of occurrence and found that some parts of boundary wall and gate of Govt. High School was broken. On enquiry, they were informed that 20-25 people were breaking boundary wall and gate of the school by J.C.B illegally. On enquiry from the petitioner, he claimed himself to be the contractor. It has also been alleged that on seeing the police, all the accused persons fled



away.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. Learned counsel for the petitioner submits that the petitioner has not been apprehended on the spot. Learned counsel for the petitioner submits that nothing has been recovered from the possession of the petitioner. Learned counsel for the petitioner submits that the petitioner was not involved in breaking of boundary wall and uprooting of the gate of the school as alleged in the F.I.R. The petitioner has been dragged in the present case on the basis of conjectures and surmises. The allegations against the petitioner in the F.I.R is imaginary and hypothetical. Learned counsel for the petitioner further submits that the allegations against the petitioner are general and omnibus. Learned counsel for the petitioner submits that the petitioner is not the owner of the tractors recovered from the spot. It is submitted that co-accused namely, Omprakash Kumar has disclosed that he is the owner of the said tractor. Lastly, it has been submitted that the petitioner is in custody since 14.04.2023 having no criminal antecedents. Charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the



case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Gaya, in Civil Lines P.S. Case No. 257 of 2023.

(Khatim Reza, J)

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