

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42542 of 2023

Arising Out of PS. Case No.-230 Year-2019 Thana- DIDARGANJ District- Patna

MANISH KUMAR S/O Rengati Yadav @ Rennki Yadav R/O Jeevanchak,
P.S- Didarganj, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nityanand Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 21-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered for the offence punishable under sections 272, 273, 308, 420/34 of the Indian Penal Code and Section 30(a), 32(1)(2) (3)/36/41(1)(2) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of one rifle, two country made pistols, nine live cartridges and four khokha and besides these recovery semi prepared pistols were also recovered. It is further alleged that 985 litres of wine was also recovered from the same house.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. His name transpired in confessional statement of



apprehended accused Beby Devi before the police, which has no evidentiary value in the eye of law. Petitioner has no concern with the alleged recovery of arms as well as liquor. Several accused persons have been granted bail. Co-accused Beby Devi has already been enlarged on bail by another coordinate Bench of this Court vide order dated 18.12.2019 passed in Cr. Misc. No. 81279 of 2019. He is languishing in judicial custody since 31.05.2023.

Learned APP appearing for the State has opposed the prayer of Bail.

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 Special Judge Excise Patna City, Patna in connection with Didarganj P.S. Case No. 230 of 2019.

(Sunil Kumar Panwar, J)

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