

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49612 of 2023

Arising Out of PS. Case No.-269 Year-2022 Thana- KALYANPUR District- Samastipur

Manish Kumar @ Bambam Son Of Ram Naresh Paswan Resident Of Village
-Muktapur, Ps- Kalyanpur, Distt- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Kumar

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 392, 411 of the Indian Penal Code.

As per allegation in the FIR, four miscreants on two motorcycles stopped the Pick-up Van of the informant which was loaded with coconut. They threatened him pistol and took away his Pick-up Van. Somehow the informant informed the police party and the Pick-up Van of the informant was intercepted, but the miscreants fled away leaving the Pick-up Van.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. The petitioner is not named in the F.I.R. and his name has been transpired in this case on the basis of confessional



statement of co-accused Monu Kumar. Neither the petitioner was apprehended on the spot nor any incriminating article has been recovered from his conscious possession and no T.I.P. was conducted to establish his identity as an accused. Similarly situated other accused namely Nitish Kumar @ Bhutta has already been enlarged on bail by another coordinate Bench of this Court vide order dated 23.05.2023 passed in Cr. Misc. No. 23771 of 2023. It is also submitted that petitioner is languishing in judicial custody since 13.09.2022.

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

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Kalyanpur P.S. Case No.269 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Samastipur.

(Sunil Kumar Panwar, J)

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