

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49636 of 2023

Arising Out of PS. Case No.-135 Year-2023 Thana- GRIYAK District- Nalanda

Muneshwar Prasad Son Of Late Baldeo Mahto Resident Of Village- Raitar,
Ps- Giriak, Distt- Nalanda

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Davendra Kumar Pandey

For the Opposite Party/s : Mr.Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-08-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 379, 411, 414, 34 of the Indian Penal Code.

3. The learned counsel for the petitioner submits that
the petitioner has antecedent of five cases and the informant
alleges that Md. Danish was apprehended with stolen iron rod
and disclosed that he along with Prakash Kumar were selling the
bars to the petitioner, who fled seeing the police force.

4. The learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and he came to be
implicated based on confessional statement of Md. Danish in



police custody, which does not have any evidentiary value. It is next submitted that the police through Md. Danish got him implicated because of his antecedent, when from perusal of the F.I.R. itself, it would manifest that the petitioner deals in business of buying and selling iron bars.

5. Learned A.P.P. opposes the bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Nalanda at Biharsharif in connection with Giriak P. S. Case No.135 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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