

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48427 of 2023

Arising Out of PS. Case No.-131 Year-2023 Thana- SUPAUL District- Supaul

MANISH CHOUDHARY Son of Ashok Choudhary Resident of Village-
Nagar Parishad, Ward No. 2, Bidyapuri, P.S. and District-Supaul

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhim Kumar Yadav, Advocate

For the Opposite Party/s : Mr.Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 03-08-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.
2. Petitioner seeks regular bail in connection
with Supaul P.S. Case No.131 of 2023 dated 19.02..2023
registered for the offence/s punishable under Section/s 302 and
120(B) read with Section 34 of the Indian Penal Code and
Section 27 of the Arms Act.
3. The main submissions advanced by the
learned counsel for the petitioner are that the petitioner is a
young person and has been languishing in jail since 28.05.2023
and two co-accused persons namely Suman Kumar and Md.
Gulsher, who are not named in the FIR and on whose
confessional statements the name of this petitioner came into
light, have been granted bail by a co-ordinate Bench of this



Court vide order passed in Cr. Misc. No.38259 of 2023 and petitioner's case is completely identical to the said co-accused persons as the petitioner is also not named in the FIR. Further submissions are that except the confessional statements of the said co-accused persons there is no material against this petitioner to connect him to the alleged offence of murder and he was not put on Test Identification Parade despite one person having claimed to have seen the accused persons opening fire at the deceased as mentioned in the FIR and according to the allegation levelled in the FIR the main allegation appears against two co-accused persons namely Reena Devi and Vinod Kumar Paswan against whom the informant raised strong suspicion. Further submission is that against the petitioner the investigation has been completed.

4. Learned APP appearing for the State opposes the bail prayer.

5. Considering the above submissions and mainly the facts that the petitioner is not named in the FIR and similarly situated two co-accused persons mentioned-above are on bail and as per above submission the petitioner was not put on Test Identification Parade despite as per the FIR one person having claimed to have seen the accused persons coming on a



motorcycle and firing at the deceased and against the petitioner investigation has been completed, in my opinion, in the said circumstances the petitioner deserves to the privilege of bail. Accordingly, let the petitioner named-above be released on bail in connection with Supaul P.S. Case No.131 of 2023 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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