

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.48213 of 2022**

Arising Out of PS. Case No.-69 Year-2021 Thana- BOCHAHAN District- Muzaffarpur

MANISH KUMAR S/o Kameshwar Sahani R/o village- Sarwanichak, P.O.  
and P.S.- Bochaha, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ashok Kumar Garg, Advocate  
For the Opposite Party/s : Mr.Mithlesh Kumar Khare, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

2      06-01-2023                      Heard learned counsel for the petitioner and the learned  
APP for the State through virtual mode in view of COVID-19.

The petitioner apprehends his arrest in connection with  
Bochahan P.S. Case No.69 of 2021 instituted under Sections  
401,413,414/34 of the IPC and 25(1-b)a,26,36 Arms Act.

The police upon secret information raided the place and  
although the accused persons tried to escape, some of them were  
apprehended and from them, a loaded pistol was recovered. Beside  
the said seizure, the motorcycles allegedly stolen were also  
recovered/seized. The apprehended persons named this petitioner as  
one of accomplish.

Learned counsel for the petitioner submits that that he had  
no role to play in the matter, it is not a case that anything was  
recovered from his house and further only because for ulterior motive  
and village rivalry, his name has been taken by the accused persons,  
he has been made an accused in this case.



Learned APP on the other hand opposes the prayer for anticipatory bail stating that the accused persons have named him as one of the accomplish.

Taking into account the fact that he is a boy of 21 years, his name has come in the confessional statement and is ready to co-operate in the investigation and will be visiting the concerned police station for next six month every fortnight to mark his attendance, this Court is inclined to grant him relief.

Let the petitioner be released on bail, in the event of his arrest or surrender before the Sub-ordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each in connection with Bochahan P.S. Case No.69 of 2021 to the satisfaction of learned Judicial Magistrate, Ist Class, Muzaffarpur (East), Muzaffarpur, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Rajiv Roy, J)**

Prakash Narayan /-

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