

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56778 of 2023

Arising Out of PS. Case No.-386 Year-2021 Thana- HARSIDHI District- East Champaran

Manish Kumar @ Manish Patel @ Manish Singh Son Of Gena Raut Resident
Of Village - Harsidhi Babu Tola, P.O. And P.S. - Harsidhi, District - East
Champaran

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pravin Kumar

For the Opposite Party/s : Mr.Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 29-11-2023 Heard learned counsel for the petitioner and

learned A.P.P appearing on behalf of the State.

The petitioner is languishing in custody in a

case registered for the offences punishable under

Sections 302, 120(B)/34 of the Indian Penal Code and

Section 27 of the Arms Act.

It is alleged that on 24.09.2021, while the son

of the informant Bipin Kumar Agrawal was returning

from Block Office and Primary Health Centre, two riders

came on a motorcycle and shot him on account of which

his son sustained firearm injuries and fell down. He was



taken to Primary Health Centre, Harsidhi and from there, he was referred to Sadar Hospital, Motihari but subsequently, he succumbed to the injuries.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. The petitioner is not named in the F.I.R and his name subsequently sprang up on the confessional statement of co-accused Abhimanyu Singh. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner was not apprehended from the spot. The informant is not the eye witness to the occurrence. During investigation also, no consistent material evidence was collected against the petitioner to connect him with the present case. The petitioner is languishing in custody since 05.01.2022. Moreover, other similarly situated co-accused have been granted bail by a coordinate Bench of this Court vide order dated 27.09.2022 passed in Cr. Misc. No. 19111 of 2022 and other analogous cases.



In contra, learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Additional District Judge-21, Motihari, East Champaran in connection with Harsidhi P.S. Case No. 386 of 2021(Sessions Trial No. 469/2022).

(Sunil Kumar Panwar, J)

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