

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55243 of 2022

Arising Out of PS. Case No.-136 Year-2022 Thana- NAUGACHIA District- Bhagalpur

MANISH KUMAR Son of Becho Mandal R/V- Malpur, P.S- Rupauli
(Mohanpur O.P.) Dist- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Pandey, Advocate

For the Opposite Party/s : Mrs.Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 21-04-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since 25.05.2022 in connection with Naugachiya P.S. Case No. 136 of 2022, F.I.R. dated 22.05.2022 registered for the offence punishable under Sections 394 and 364 of the Indian Penal Code but the police, after investigation, submitted chargesheet under Sections 396/216(A) of IPC.

The FIR of the occurrence of loot is against unknown.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case mainly on the basis of the confessional statement of the co-accused person, namely, Manish Kumar and pursuant to the confessional statement of the



petitioner and co-accused person, namely, Manish Kumar, the dead body of the driver of the vehicle in question was recovered.

Learned APP for the State, on the other hand, on the basis of the material available on the record and the case diary, has vehemently opposed the prayer for bail of the petitioner and submits that during investigation it has come that on the basis of the confessional statement of the petitioner, the dead body of the driver of the vehicle in question was recovered and apart from that looted article was also recovered.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with Naugachiya P.S. Case No. 136 of 2022 pending in the court of learned Additional Chief Judicial Magistrate, 1st Naugachia.

Prayer is refused.

(Rajesh Kumar Verma, J)

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