

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60188 of 2023

Arising Out of PS. Case No.-253 Year-2023 Thana- ROSERA District- Samastipur

MANISH KUMAR @ MANISH DAS @ MANISH KUMAR DAS Son of
China Das Resident of Village-Rampur Jalalpur, P.S.-Dalsinghsarai, District-
Samastipur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Ranjan

For the Opposite Party/s : Mr.Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
registered for the offence punishable under section 394 of the
Indian Penal Code.

3. As per prosecution case, it is alleged that some
unknown miscreant committed loot of the Scorpio of the
informant bearing Registration no. BR09R-4729 on point of
pistol. Thereafter the present FIR was lodged.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The
petitioner is not named in FIR rather he has falsely been
implicated in this case on the basis of confession made by co-



accused namely, Aman Kumar @Mithu. The confession before police is inadmissible in the eye of law. Neither the petitioner was put on TI parade nor the said Scorpio has been recovered from his possession. The petitioner has got no criminal antecedent as stated in para-3 of the petition. It is further submitted that the petitioner is languishing in judicial custody since 21.4.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Rosera P.S. Case No. 253 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Rosera/concerned Court.

(Sunil Kumar Panwar, J)

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