

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65460 of 2023

Arising Out of PS. Case No.-259 Year-2023 Thana- LAKHISARAI District- Lakhisarai

Manoj Kumar Son Of Sri Satyendra Singh Resident Of Village- Akaunu, Ps-
Sikandara, Dist- Jamui At Present Resident Of Mohalla Bari Pokhar, Ward
No. 9, Ps And Distt- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vaishnavi Singh

For the Opposite Party/s : Mr.Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 01-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered
for the offence punishable under Sections 302, 120(B) of the
Indian Penal Code and Section 27 of the Arms Act.

3. As per FIR, the accused persons are alleged to have
shot the informant's brother, Pawan Kumar (deceased). The
allegation against the petitioner is that he had taken away the
deceased from his house prior to the incident.

4. Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has been falsely implicated in this case only on the
basis of suspicion. No one is eye witness of the alleged
occurrence. There is no specific overt act against this petitioner.



General and omnibus allegation has been levelled against the petitioner. During investigation, no consistent evidence has come against the petitioner which shows his complicity in the alleged occurrence. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. The other co-accused Md. Azharuddin @ Azhar has already been granted bail by another co-ordinate Bench of this Court vide order dated 16.08.2023 passed in Cr. Misc. No. 48437 of 2023. Petitioner is languishing in judicial custody since 08.04.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Lakhisarai in connection with Lakhisarai P.S. Case No.259 of 2023.

(Sunil Kumar Panwar, J)

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