

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73969 of 2023

Arising Out of PS. Case No.-31 Year-2023 Thana- DUMARIAGHAT District- East
Champaran

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MANJAY KUMAR @ MANJAY THAKUR Son of Gajadhar Thakur
Resident of village - Dumariya, P.S.- Dumariyaghat, District - East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Nirmala Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 29-11-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Dumariyaghat P.S. Case no. 31 of 2023 registered under sections 399 and 402 of the Indian Penal Code and sections 25(1-B) (a), 26 and 35 of the Arms Act.

3. As per the prosecution case, on information having been received by the informant, it is stated that a raid was conducted and one of the co-accused namely Anuj Kumar Singh was arrested. A country made pistol and five rounds of ammunition was recovered. It is further stated that he disclosed the name of the four other co-accused persons who had managed to escape which included the petitioner herein.



4. It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. His name transpired in the statement of co-accused made before police. No incriminating article has been recovered from his possession. He is in custody since 18.07.2023 and has no criminal antecedent. Charge sheet has been submitted in the case.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the name of the petitioner having transpired in the statement of the co-accused made before police, the petitioner being in custody since 18.07.2023, not having any criminal antecedent and charge sheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Dumariyaghat P.S. Case no. 31 of 2023 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Motihari, East Champaran.

(Partha Sarthy, J)

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