

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76518 of 2023

Arising Out of PS. Case No.-225 Year-2021 Thana- BAHERI District- Darbhanga

Manoj Kumar Rai @ Manoj Rai Rameshwar Ray @ Rameshwar Rai R/o
Village- Jitwarpur, P.S.- Mufassil, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Shubhesh Pandey, Advocate
For the State : Mr. Sunil Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 04-12-2023 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Baheri
P.S. Case No. 225 of 2021 instituted for the offence under
Sections 395 and 397 of the Indian Penal Code and Section 27
of the Arms Act.

3. As per prosecution story, the accused barged into
the informant's jewellery shop after pointing pistol to this
daughter/staffs and looted ornaments worth Rs. 27 Lakhs.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 02-07-2022. Petitioner has
seven criminal antecedents.

5. It has been further submitted by the petitioner's



counsel that petitioner has been falsely implicated by virtue of the confessional statement of one Shushant Mishra, who is co-accused in this case. It is submitted that no T.I. Parade has been conducted. Other co-accused persons have been granted bail by Co-ordinate Bench of this Court in Cr. Misc. No. 52756 of 2023 & Cr. Misc. No. 16191 of 2023.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, fact that no T.I. Parade has been conducted and claim based on parity, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Baheri P.S. Case No. 225 of 2021 subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to



cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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