

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80566 of 2023

Arising Out of PS. Case No.-23 Year-2023 Thana- MANJHAGARH District- Gopalganj

1. Rahul Kumar Singh S/O Satyendra Singh Village- Parauli Siswania Tola, Ps. Nabiganj, Dist. Siwan
2. Sharma Singh @ Samar Singh S/O Kishun Singh Village- Lakri Padauli, Ps. Lakdinabiganj, Dist. Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 20-12-2023 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Manjhagarh P.S. Case No. 23 of 2023 instituted for the offences under Section 394 of the Indian Penal Code.

3. As per prosecution case, the Informant, after participating in the programme organized by one Prashant Kishore, was returning on Scorpio vehicle bearing Registration No. BR11PA5580 to Motihari. While returning, he was intercepted by four unknown miscreants riding on an Innova car. They got him off the Scorpio vehicle, slapped him and fled away with the Scorpio vehicle. It is alleged by the Informant



that there was a mobile and a laptop in the Scorpio.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. The petitioners are not named in the F.I.R. and have been implicated in the present case merely on the basis of confessional statement of the co-accused Chhotu Manjhi. Nothing incriminating has been recovered from the possession of the petitioners as also no T.I.P. has been held in this case. The petitioners have seven criminal antecedents out of which, in two of them, they are on bail. In all the pending cases, the F.I.R. has been lodged against the unknown persons and the petitioners are subsequently remanded in these cases. Learned counsel for the petitioners further submits that the similarly situated co-accused persons, namely, Birbahadur Singh and Vishal Kumar have been granted bail by a Co-ordinate Bench of this Court vide orders dated 25.08.2023 and 29.08.2023 passed in Cr. Misc. Nos. 53728 of 2023 and 54686 of 2023 respectively. Charge-sheet has been submitted in this case.

5. The petitioners are in custody since 11.05.2023.

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

7. Considering the entire facts and circumstances of



the case as also taking into account the period of custody, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Manjhagarh P.S. Case No. 23 of 2023.

(Rudra Prakash Mishra, J)

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