

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79404 of 2023

Arising Out of PS. Case No.-169 Year-2022 Thana- MANJHAGARH District- Gopalganj

Abhishek Pandey@Madhoban @Chandan S/O Bageshwarnah Pandey @
Badrinath Pandey Village- Ramgah, Ps. Siswan, Dist. Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha
For the Opposite Party/s : Mr.Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-12-2023 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under section 395 of the Indian Penal Code and Section 27 of Arms Act.

According to FIR, prosecution case relates to dacoity of gold and silver ornaments from jewelery shop of the informant on pistol point by six miscreants who came there by three motorcycles. Thereafter, this case has been lodged against unknown.

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 confessional statement of co-accused namely, Ajay Kumar Singh. Some of the looted articles were recovered from co-accused Swaminath Giri. Except confession, no any consistent material has come against the petitioner. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. It is further submitted that the petitioner has not put on TI Parade. This case is triable by learned judicial magistrate. Similarly situated other accused person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 14.07.2023 passed in Cr. Misc. No. 41190 of 2023. Moreover, the petitioner is languishing in judicial custody since 8.8.2023.

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

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



Manjhagarh P.S. Case No. 169 of 2022 on furnishing bail
bond of Rs.10,000/- (ten thousand) with two sureties of the
like amount each to the satisfaction of learned C.J.M.
Gopalganj.

(Sunil Kumar Panwar, J)

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