

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15919 of 2024

Arising Out of PS. Case No.-178 Year-2023 Thana- AANDAR District- Siwan

Manish Kumar Yadav @ Manish Kumar @ Manish Yadav, aged about 25 years, Son of Lalan Chaudhary, Resident of Bhagwan Tola, P.S. - Uchakagaon, District – Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 19-03-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Andar (M.H.Nagar) PS Case No. 178 of 2023 instituted for the offences punishable under Section 395 of the Indian Penal Code.

3. As per the prosecution case, seven unknown accused persons armed with deadly weapon entered into the shop of the informant and looted jewelry and fled away.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case due to ulterior motive. He



further submits that petitioner is not named in the FIR and nothing has been recovered from the conscious possession of the petitioner. He has not put on Test Identification Parade. His name has been surfaced in this case merely on the basis of confessional statement of co-accused Munna Yadav @ Langda. Petitioner has not been apprehended at the spot and he has been remanded to the another case. Petitioner is in judicial custody since 17.10.2023.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and the impugned order of the learned Additional Sessions Judge-II, Siwan dated 25.01.2024, it appears that the name of the petitioner has been surfaced only on the basis of confessional statement of co-accused Munna Yadav @ Langda. Petitioner has not arrested at spot and he has been remanded in this case to another case on the basis of suspicion, accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail *after commitment of the case* on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M.F.C., Siwan in connection with Andar (M.H. Nagar) P.S. Case No. 178 of 2023.

7. The trial Court is directed to conclude the



proceeding of commitment within a period of one month.

(Ramesh Chand Malviya, J)

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