

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18302 of 2024

Arising Out of PS. Case No.-709 Year-2023 Thana- MANER District- Patna

SANTOSH KUMAR YADAV @ SANTOSH KUMAR, MALE, AGED ABOUT 34 YEARS, S/O HIRA YADAV R/O GOPAL NAGAR, P.S-REWATI, DISTT.- BALIA (U.P.).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saroj Kumar Choudhary

For the Opposite Party/s : **Mr.Md. Shakir Ahmad**

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 22-03-2024

Heard learned counsel appearing on behalf

of the parties.

2. The petitioner seeks bail in connection with Maner P.S. Case No.709 of 2023 registered for the offence under Sections 147, 148, 149, 447, 307, 386, 379, 504, 506, 120B of the Indian Penal Code and Sections 25(1-b)a, 26/35 and 27 of the Arms Act.

3. Allegation against the petitioner along with other co-accused persons is to have engaged in illegal mining of sand and it is further alleged that they have made indiscriminate firing upon police persons.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner has falsely been



implicated in the present case. It is submitted that nothing incriminating articles have been recovered from the possession of this petitioner rather only one mobile has been recovered from the petitioner. It is submitted that seizure list appears doubtful being not supported by independent witnesses, rather by police personnels. It is also submitted that other similarly situated co-accused has been granted bail by this Court through Cr. Misc. No.6619 of 2024 on 17.02.2024. It is further submitted that petitioner is a man of clean antecedent and he is in custody since 02.10.2023.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances and submissions made on behalf of the petitioner, let the petitioner, above named, is directed to be released on bail, *after framing of the charge*, in connection with Maner P.S. Case No.709 of 2023 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Danapur.

(Ramesh Chand Malviya, J)

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