

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24861 of 2024

Arising Out of PS. Case No.-330 Year-2023 Thana- KASHICHAK District- Nawada

MANOJ KUMAR @ MAUJA SON OF VIREN TANTI Resident of Village -
Lohra, P.S. - Harnaut, District - Nalanda

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Nandan Prasad, Advocate.

For the State : Mr. Madan Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 02-08-2024 Heard Mr. Sheo Nandan Prasad, learned counsel
appearing on behalf of the petitioner and Mr. Madan Kumar,
learned APP for the State.

2. The petitioner, who is in custody since 21.12.2023,
seeks bail in connection with Kashichak P.S. Case No. 330 of
2023 registered for the offence(s) punishable under Sections 364
and 365 of the Indian Penal Code.

3. As per the allegation made in the FIR, informant
came to know from the footage of CCTV camera that four
unknown persons have forcibly abducted his *Munshi*.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is not named in the FIR and
his name has surfaced in this case on the basis of confessional
statement of co-accused Tripurari Kumar and the confessional
statement made before the police has no evidentiary value in the
eye of law. It is further submitted that no incriminating article



has been recovered from the possession of the petitioner. Petitioner has clean antecedent and he is in custody since 21.12.2023

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner and submits that though the petitioner is not named in the FIR, as the FIR is against unknown, but during the course of investigation, his name came into light, as all the accused persons, who were arrested, had disclosed his name as one of their accomplices in the said offence.

6. Considering the aforesaid submission made on behalf of the petitioner and the fact that the name of the petitioner has surfaced in the case on the basis of confessional statement of co-accused which has no evidentiary value in the eye of law and the petitioner is in custody since 21.12.2023, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-VI, Nawada in connection with Kashichak P.S. Case No. 330 of 2023, subject to the condition that the District court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in Para-



3 of the bail petition, this order will automatically lose its force.

7. The present bail petition stands disposed of.

(Purnendu Singh, J)

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