

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28541 of 2024

Arising Out of PS. Case No.-618 Year-2023 Thana- BARH District- Patna

Sunny Kumar SON OF MANOJ MALAKAR Resident of Village- CHONDI,
PS- BARH, DIST- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh

For the Opposite Party/s : Ms.Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 19-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Barh
P.S. Case No. 618 of 2023 instituted for the offences under
Sections 395 and 397 of the Indian Penal Code.

3. As per prosecution case, while the informant was
sleeping at his home, some unknown miscreants entered into the
house of the informant. On ruckus, they assaulted the informant
and his staff whereafter they fled away.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Petitioner is not named in the FIR and the same
has been lodged against unknown persons. The name of the
petitioner has come into light on the basis of confessional
statement of co-accused Nitish Kumar and he has already been



granted bail by this Bench vide order dated 05.03.2024 passed in Cr. Misc. No. 13491 of 2024. The petitioner has got no concern with the alleged occurrence. No incriminating article has been recovered from the conscious possession of the petitioner. The petitioner has not been put on Test Identification Parade to ascertain his participation in the alleged occurrence. Charge-sheet has been submitted in this case. The petitioner is in custody since 30.09.2023 and has no criminal antecedent.

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

6. Considering the facts and circumstances of the case as well as the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Barh P.S. Case No. 618 of 2023.

(Rudra Prakash Mishra, J)

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