

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36693 of 2024

Arising Out of PS. Case No.-21 Year-2024 Thana- KONCH District- Gaya

Mantu Sah @ Mantu Kumar Gupta Son of Birendra Singh R/O Vill.-
Machhaita, East Champaran (Motihari), P.S.- Motihari, Dist.- East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 21-05-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Konch
P.S. Case No. 21 of 2024 instituted for the offence under
Sections 395 & 395 of the Indian Penal Code.

3. Prosecution case as emanated from the FIR is that
ten miscreants looted a tractor from the informant on gun point.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 14-01-2024. Petitioner is a
man of clean antecedent.

5. It has been further submitted by the petitioner's
counsel that petitioner has been falsely implicated in the present
case. Petitioner is not named in the FIR. Name of the petitioner



has transpired on the basis of confessional statement of co-accused, namely, Ankit Kumar and Nitish Kumar, and the same has no evidentiary value. There is no specific allegation against the petitioner. Nothing has been recovered from the possession of the petitioner. Other co-accused has been granted bail by this Court *vide* order dated 24-04-2024, passed in Cr. Misc. No. 31239 of 2024.

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

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

8. 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 Konch P.S. Case No. 21 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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