

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33208 of 2024

Arising Out of PS. Case No.-634 Year-2023 Thana- KUCHAIKOTE District- Gopalganj

Mannu Alam SON OF Jamil Hasan Village Mahuawan, P.S. Kuchaikot,
District Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Javed Aslam, Advocate

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

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

ORAL ORDER

3 28-06-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Kuchaikot P.S. Case No. 634 of 2023 (Sessions Trial No. 161 of 2024) instituted for the offences under Section 392 of the Indian Penal Code and Section 25(1-b)(a)/26/35 of the Arms Act.

3. As per prosecution case, the accusation against the petitioner is of being involved in snatching of mobile along with Rs. 2,000/- from the Informant by putting country-made pistol on the temples of the Informant and his cousin.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case.



The petitioner is not named in the F.I.R. and his name has surfaced in this case during investigation. He submits that it is alleged that there is recovery of one country made pistol from the possession of the petitioner, but the petitioner has no concern with the same. No T.I.P. has been done by the police in this case and, only on suspicion, the petitioner has been made accused in this case. There is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case. The petitioner has no criminal antecedent in which he is on bail and is languishing in judicial custody since 27.12.2023 without any rhymes or reason. Other co-accused has been granted bail by this Court vide order dated 20-05-2024, passed in Cr. Misc. No. 35395 of 2024.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, 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 Kuchaikot P.S. Case
No. 634 of 2023 (Sessions Trial No. 161 of 2024).

(Rudra Prakash Mishra, J)

Raj Kishore/-

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