

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35195 of 2024

Arising Out of PS. Case No.-216 Year-2009 Thana- OBRA District- Aurangabad

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Manoj Singh @ Manoj Yadav SON OF SAHDEO SINGH VILLAGE-
MASTALI CHAK, PS- OBRA, DIST- AURANGABAD

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi , Advocate

For the Opposite Party/s : Mr. Renu Kumari , APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 13-09-2024 Heard learned counsel for the petitioner and the State .

2. Petitioner apprehends arrest in a case registered for the offence punishable under section 395 of the Indian Penal Code and Section 25(1-b)a, 27 of Arms Act.

3. As per the prosecution case , petitioner along with other co-accused persons looted cash of Rs. 1,87,000/- from petrol pump and assaulted the Manager and other staff members of the petrol pump. It is further alleged that the accused persons also fired upon the Manager of the petrol pump due to which he became injured.

4. Learned counsel for the petitioner submits that petitioner is not named in the F.I.R., and his name transpired on the confessional statement of other co-accused person Basant Kumar who was apprehended on the spot. As a matter of fact,



co-accused Basant Kumar lodged a case vide Obra P. S. Case No. 217 of 2009 against informant and others in which on the alleged date of occurrence, petitioners purchased diesel from the petrol pump in question and when they demanded receipt, then informant and Manager assaulted the petitioner and others and denied to give the receipt and in course of maar-peet, informant opened fire which hit the Manager of the petrol pump and in retaliation this present false and concocted case has been lodged against this petitioner. Similarly situated co-accused persons have already granted bail by this Court vide order dated 01.07.2024 in Cr. Misc. No. 27425 of 2024 .

5 . Learned counsel for the State opposes the bail petition of the petitioner.

6. Considering fact that similarly situated co-accused have already been granted bail, and circumstances of the case, in the event of arrest or surrender within eight weeks from today, let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Daudnagar, Aurangabad in connection with Obra P. S. Case No. 216 of 2009, conditions laid down under section 438(2) of the Code of Criminal



Procedure .

(Prabhat Kumar Singh, J)

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