

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36438 of 2024

Arising Out of PS. Case No.-208 Year-2023 Thana- KHODAWANDPUR District- Begusarai

Manish Kumar @ Chhotu Son of Dev Narayan Singh Resident of village -
Kanausi Dunhi, P.S.- Garhpura, District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Braj Bhushan Poddar, Adv.

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

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

2. The petitioner is in custody in connection with Khodawandpur P.S Case No. 208 of 2023 registered for the offences punishable under Sections 302/34 of the I.P.C and Section 27 of the Arms Act.

3. As per prosecution case, it is alleged that unknown person killed the informant's brother.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. No incriminating articles recovered from the conscious possession of the petitioner. It is also submitted that petitioner is not named in FIR. It is next submitted that co-accused has already granted bail by the Co-ordinate Bench of this Court *vide* order dated



23.04.2024 passed in Cr. Misc. No. 23.04.2024. Petitioner is in judicial custody since 14.03.2024.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, case dairy, impugned order it appears that during investigation one Alok Kumar said petitioner was seen going to the place of occurrence along with co-accused persons but co-accused Bambam Singh made gunshot firing upon the deceased as a result of which he died, accused persons covered their face by gamchha, no arms and ammunition recovered from the petitioner and also considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named 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 learned Additional District and Sessions Judge, Manjhaul (Begusarai), in connection with Khodawandpur P.S Case No. 208 of 2023.

(Ramesh Chand Malviya, J)

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