

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41734 of 2024

Arising Out of PS. Case No.-91 Year-2022 Thana- GHORASAHAN District- East
Champaran

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Munif Ray @ Muni Lal Rai @ Munee Lal Rai, Male, aged about 32 years,
Son of Jairam Rai, Resident of Village- Barka Pakahi Balka Pakahi or Barka
Kakhi P.S.- Lakhaura District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Prasad, Advocate

For the Opposite Party/s : Mr. Satyendra Prasad, APP

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

ORAL ORDER

2 15-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Ghorasahan PS Case No. 91 of 2022 instituted for the offences
punishable under Sections 395 and 397 of the Indian Penal
Code.

3. As per the prosecution case, the informant went to
delivered his goods and recover money with his pick-up driver
and returned with his colleague and when he reached near the
bridge, in the meantime some unknown apache bike rider
overtake him and four unknown persons looted Rs. 4,00,000/-
and six cheque on the point of gun and brutally assaulted the



driver of the vehicle and also snatched Apple mobile of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case due to dirty village politics. The FIR is against six unknown persons. The name of the petitioner came in this case only on the basis of spy. Nothing has been recovered from the conscious possession of the petitioner. During the course of investigation the police has not found any material against the petitioner. Petitioner has got clean antecedent as stated in para 3 of the petition is in custody since 23.01.2024.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and the impugned order of the learned 22nd Additional Sessions Judge, East Champaran, Motihari dated 18.04.2024, it appears that petitioner is not named in the FIR and the name of the petitioner has been surfaced only on the basis of spy. Nothing has been recovered from the conscious possession of the petitioner and he has not put on Test Identification Parade. Similarly situated co-accused persons namely Dilip Kumar @ Dileep Yadav @ Dilip Kumar Yadav and Digambar Kumar have been granted bail by a co-



ordinate Benches of this Court in Cr. Misc. Nos. 25608 of 2024 and 68170 of 2023 vide orders dated 10.04.2024 and 02.11.2023 respectively, accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named 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 the learned 22nd Additional Sessions Judge, East Champaran, Motihari in connection with Ghorasahan P.S. Case No. 91 of 2022.

(Ramesh Chand Malviya, J)

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