

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49640 of 2024

Arising Out of PS. Case No.-155 Year-2020 Thana- KARJA District- Muzaffarpur

Manish Kumar Son Of Late Satyanarayan Ray Village- Mithanpura, Ps-
Kanti, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh, Advocate

For the Opposite Party/s : Mr. Binod Kumar No.3, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 20-07-2024 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Karja P.S. Case No. 155 of 2020, dated 17.06.2020, registered
for the offence(s) punishable under Section(s) 395 of the Indian
Penal Code.

3. Mr. Prabhat Kumar Singh, learned counsel for the
petitioner submits that the FIR was registered against unknown,
the alleged occurrence is said to have taken place at a particular
petrol pump but the petitioner was not seen in the CCTV
footage when the footage was scanned and the name of this
petitioner surfaced in the statement of co-accused Manish
Kumar, who has political rivalry with this petitioner and the
said co-accused has been granted bail by a co-ordinate bench of



this court vide order dated 03.09.2021 passed in Cr. Misc. No. 33394 of 2021. Learned counsel further submits that after the petitioner's arrest in the present matter, the police failed to recover any incriminating material from the possession of this petitioner and the petitioner was not even put on test identification parade so there is no admissible evidence against this petitioner to connect him to the alleged crime of dacoity. It is further submitted that though against the petitioner there are criminal antecedents of three cases but he is on bail in all the said cases.

4. Mr. Binod Kumar No.3, learned APP appearing for the State has opposed the bail prayer of the petitioner.

5. Having regard to the above submissions and mainly considering the petitioner's plea that there is no any admissible evidence against him except the confessional statement of co-accused and he was not even put on test identification parade and his presence at the alleged place of loot was not found in the CCTV footage of the relevant time and the said plea has not been refuted by the learned APP and also coupled with the privilege of bail having been granted by the co-ordinate bench of this court to the co-accused Manish Kumar who is said to have revealed the role of the petitioner in the alleged crime and



the investigation has been completed against this petitioner, in my opinion, in the said circumstances, the petitioner deserves to the privilege of bail. Accordingly, let the petitioner named-above be enlarged on bail in connection with Karja P.S. Case No. 155 of 2020 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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