

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48416 of 2024

Arising Out of PS. Case No.-29 Year-2024 Thana- SACHIVALAYA District- Patna

Manoj Kumar, Male, aged about 45 years, Son of Late Dhannu Lal Singh @
Dhannu Lal Ray, resident of VILLAGE- SHEPURWA NARAYANPUR,
P.O.- MADHOPUR, P.S.- BIHTA, DISTT.- PATNA, BIHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Ranjan Sinha, Advocate
For the Opposite Party/s : Mr.Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 14-08-2024 Heard Mr. Satya Ranjan Sinha, learned counsel
appearing on behalf of the petitioner and Mr. Md. Mushtaque
Alam, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Sachivalay P.S. Case No. 29 / 2024 registered for the
offence(s) punishable under Sections 341, 342, 323, 379, 347,
506, 504 and 34 of the Indian Penal Code.

3. As per the allegation made in the FIR, the accused
persons named therein have kidnapped the informant, who has
disclosed the name of the petitioner in his statement recorded
under Section 164 Cr.P.C.

4. Learned counsel appearing on behalf of the
petitioner submitted that it is admitted that the co-accused



Sanjay Sharma and his two sons, namely, Rajiv Kumar and Jitendra Kumar had kidnapped the informant and threatened him of dire consequences, if he would proceed to participate in the bidding held by the Government. Learned counsel further submitted that petitioner is not named in the FIR and there is rivalry between the two contractors. Petitioner has clean antecedent.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submissions made on behalf of the parties, as well as, the fact that the informant has recorded his statement under Section 164 Cr.P.C., where he has stated that petitioner was also one of the accused and he was involved in his kidnapping. Informant has admitted his rivalry with other co-accused Sanjay Sharma and both of them wanted to file their quotation in the office of Horticulture Division headquarter, Building Construction Department, Patna. I find that the allegation against the petitioner has been made only for implicating him in a false case, which has been mainly alleged against co-accused Sanjay Sharma and in absence of any assault, which has been caused by the petitioner to the informant, I am of the opinion that petitioner has, prima facie,



made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class-8, Patna/concerned court in connection with Sachivalay P.S. Case No. 29 / 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

Sanjay/-

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