

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51122 of 2024

Arising Out of PS. Case No.-269 Year-2020 Thana- KAMTAUL District- Darbhanga

Monu Mishra S/o- Raj Kishore Mishra Village- Dhanaur P.S.- Katra Dist-
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Advocate
For the Opposite Party/s : Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 20-07-2024 Heard learned counsel for the Petitioner and

learned APP for the State.

2. Petitioner seeks regular bail in connection with Sessions Trial Case No. 122 of 2024 arising out of Kamtaul P.S. Case No. 269 of 2020, dated 20.11.2020 registered for the offences punishable under Sections 399, 402 and 120B of the Indian Penal Code.

3. Mr. Nilendu Kumar Choudhary, learned counsel appearing for the petitioner submits that as per prosecution story, some miscreants assembled at the house of one namely, Girish Jha, with an intention to commit crime and then the police reached at the said place and apprehended the above-named co-accused who revealed the name of this petitioner and other co-accused persons as being involved in the alleged offences under which the FIR has been registered but except the



statement of the co-accused, Girish Jha, given before the police which comes under the purview of a confessional statement, there is no material against this petitioner to connect him to the alleged offences of the FIR. Learned counsel further submits that the trial of this petitioner has commenced and the charges have been framed upon him on 09.04.2024 and one co-accused, Sudhakar Bhardwaj, carrying similar nature of allegation has been granted bail by this Court vide order dated 24.03.2023 passed in Cr. Misc. No. 68478 of 2022 and the trial court has rejected the petitioner's prayer mainly considering his criminal antecedents.

4. Mr. Zainul Abedin, learned APP appearing for the State though opposed the prayer for bail of the petitioner but fairly accepted that except the confessional statement of co-accused given before the police, there is no material against this petitioner as reflects from the order impugned.

5. Having regard to the above submissions and mainly taking into account the petitioner's plea that there is no material against him except the confessional statement of co-accused who is said to have been arrested at the spot and the said plea has not been refuted by learned APP and the trial of the petitioner has commenced and the same is at initial stage, also,



coupled with the privilege of bail having been granted to similarly situated co-accused Sudhakar Bhardwaj, by this Court in the above-mentioned order, this Court is inclined to accept the prayer for bail of the petitioner. Accordingly, let the petitioner 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 concerned Court in connection with Sessions Trial Case No. 122 of 2024 arising out of Kamtaul P.S. Case No. 269 of 2020.

(Shailendra Singh, J)

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