

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49663 of 2024

Arising Out of PS. Case No.-91 Year-2024 Thana- MANIHARI District- Katihar

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Lutan Kumar Ray @ Lutan Kumar Roy, aged about 24 years, Gender-M, S/O
Lalan Kumar Ray @ Lalan Kumar Roy, R/O Village- Manoharpur, P.S-
Manihari, Distt.- Katihar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Bimal Kumar, Advocate

For the Opposite Party : Mr. Navin Kumar Pandey, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 21-08-2024 This matter has been listed under the heading ‘For
Orders (on office notes)’.

2. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

3. The petitioner seeks bail in connection with
Manihari P.S. Case No. 91 of 2024 dated 21.04.2024 registered
for the offences punishable under Sections 341, 323, 387, 307,
506, 504, 386 of the I.P.C. and Section 27 of the Arms Act.

4. As per the prosecution case, on 21.04.2021, the
informant was running his grocery shop, in the meantime, the
petitioner came on his motorcycle and demanded chilled water



from him, when he told him that he had no cold bottle of water, he forcibly entered the shop and took bottle. When he asked him to give money, he fired bullet on him with intent to kill him but luckily he was saved. On hearing alarm, his father and other local people came there, thereafter, the petitioner fled away.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that both parties are co-villagers. It is further submitted that the learned court below has mentioned that the offence of the petitioner was recorded in CCTV footage but in the present case, charge sheet has been submitted on 16.05.2024 itself but the I.O. has not verified the CCTV footage in any F.S.L. Laboratory. No incriminating article has been recovered from the possession of the petitioner or from his house. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 02.05.2024.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond



of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M. Katihar in connection with Manihari P.S. Case No. 91 of 2024.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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