

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52019 of 2024

Arising Out of PS. Case No.-1191 Year-2023 Thana- SONEPUR District- Saran

Manish Kumar S/o Dhanil Paswan R/o vill - Gurmiya, P.S. - Hajipur Sadar,
Distt. - Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Dr. Rajesh Kumar Singh, Advocate
For the Opposite Party : Mrs. Renu Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 24-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Sonepur P.S. Case No. 1191 of 2023 lodged on 17.12.2023 under
Sections 341, 323, 379, 342, 364A 120B read with Section 34 of the
Indian Penal Code.

3. As per the prosecution case, the FIR has been lodged
against four unknown accused persons. It is alleged in the FIR that
all the accused persons came on two motorcycle and they got the
vehicle of the informant stopped after overtaking. Thereafter, they
demanded ransom from the informant and snatched ATM card,
laptop, mobile phone, cash and a gold ring from him.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The petitioner is
not named in the FIR rather his name has figured in this case on the



confession of co-accused. The looted mobile has been recovered from the possession of the petitioner, but he has purchased the said mobile from c-accused, Sanjeev Kumar in good faith as he was not aware that the said mobile phone is subject to theft. He further submits that the antecedent of the petitioner is clean and he is in custody since 25.02.2024.

5. Learned counsel for the State opposes the prayer for bail and submits that recovery of mobile phone, subject to theft, has been made from the possession of the petitioner.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named be released on bail, **but only after framing of charge, if already not framed**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of C.J.M. Saran at Chapra, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure.

(Dr. Anshuman, J.)

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