

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62616 of 2024

Arising Out of PS. Case No.-213 Year-2022 Thana- CHAKIA District- East Champaran

Aashik Mansuri @ Md. Ashik Mansuri, Male, aged aboutd 24 years, Son of Late Jalaluddin Mansuri, Resident of Village- Basdeopur P.S.-Sahebganj, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 18-10-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody in connection with Chakiya P.S Case No. 213 of 2022 (Sessions Trial No. 899 of 2023) registered for the offences punishable under Section 395 of the Indian Penal Code.

3. As per prosecution case, six miscreants committed dacoity in the shop of informant and taken away 7 Kg gold and 50 Kg silver. It is further alleged that they have inflicted fire arm injury to him as well as his brother.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. It is



further submitted that no recovery from the conscious possession of the petitioner. Petitioner is not named in the FIR. It is also submitted that petitioner is in judicial custody since 09.12.2022.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. From perusal of the FIR and the impugned order of the learned 20th Additional Sessions Judge, East Champaran, Motihari dated 19.07.2024, it appears that petitioner is not named in the FIR and he has been made accused only on the basis of confessional statement of the other co-accused persons and there is no any recovery from the conscious possession of the petitioner. Similarly situated co-accused persons namely Sushil Kumar @ Kundan Kumar, Mukund Ji @ Vivek Kumar, Upendra Yadav, Lokesh Kumar @ Lokesh Rai, Dipu Singh @ Dipu Kumar Singh, Munna Kumar @ Munna Sah, Pankaj Kumar, Subodh Kumar Rai @ Subodh Kumar, Shayara Khatoon, Neha Khatoon and Sagar Soni have already been granted bail by this Court and Co-ordinate Benches of this Court in Cr. Misc. Nos. 27196 of 2023, 20819 of 2023, 38191 of



2023, 47078 of 2023, 82791 of 2023, 7166 of 2024, 10896 of 2024, 52384 of 2023, 69703 of 2023 and 29373 of 2024 vide orders dated 25.05.2023, 28.06.2023, 12.07.2023, 09.10.2023, 02.02.2024, 20.02.2024, 22.02.2024, 10.04.2024, 10.04.2024 and 21.06.2024, respectively. So, considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned 20th Additional Sessions Judge, East Champaran at Motihari in connection with Chakiya P.S Case No. 213 of 2022 (Sessions Trial. No. 899 of 2023) subject to condition that petitioner shall appear before the trial Court till conclusion of the trial.

(Ramesh Chand Malviya, J)

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