

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68789 of 2024

Arising Out of PS. Case No.-221 Year-2021 Thana- MANIHARI District- Katihar

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Suman Kuwar @ Suman Kumar, aged about 27 years, Male, Son of Fago Kuwar, Resident of Village- Bakharpur (Pirpaiti), P.S.- Pirpaiti, District- Bhagalpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Harish Kumar, Advocate

For the Opposite Party : Mr. Dilip Kumar No. 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 21-09-2024 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Manihari P.S. Case No. 221 of 2021 dated 16.10.2021 registered for the offences punishable under Sections 341, 323, 325, 307, 379, 427, 327, 120B, 504 and 506/34 of the I.P.C. and Section 27 of the Arms Act.

3. As per the prosecution case, the petitioner and the co-accused persons alongwith four unknown miscreants boarded on two motorcycles came near the shop of the informant and started assaulting him with lathi, danda, fists and legs causing head injury. When the father of the informant came to rescue him then the accused persons started assaulting the informant's



father. It is further alleged that all the accused persons damaged the grocery articles and took away Rs. 5,000/- from the shop of the informant. They fled away by firing four to five rounds.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner has been remanded in the present case from Barari P.S. Case No. 403 of 2022. The petitioner has no concern with the alleged offence. The petitioner was not arrested at the place of occurrence. No incriminating article has been recovered from his possession. There is general and omnibus allegation against the petitioner. The injuries sustained by the injured are simple in nature. It is submitted that the other co-accused person, namely, Dhiraj Singh @ Dhiraj Thakur, has already been granted bail by a Bench of this Court vide Cr. Misc. No. 42677 of 2024 under order dated 25.06.2024. The petitioner has eight criminal antecedents and in most of these cases, he is on bail as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 09.01.2023.

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

6. 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 Additional Sessions Judge-I, Special Judge, SC/ST, Katihar in connection with S.T. No. 364 of 2023, arising out of Manihari P.S. Case No. 221 of 2021.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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