

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71738 of 2023

Arising Out of PS. Case No.-438 Year-2022 Thana- MALSALAMI District- Patna

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MANISH KUMAR SON OF ASHOK PASWAN R/O VILLAGE-
GULAMEHIYA CHAK, SABALPUR, P.S.- NADI, DISTRICT- PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Madhukar Anand

For the Opposite Party/s : Mr.Ram Bilash Roy Raman

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 31-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 147, 148, 149, 341, 302, 341 of the Indian Penal Code later on Sections 396, 412 and 427 of the IPC were also added.

3. As per FIR, it is alleged that 10-12 unknown miscreants entered into the show room of the informant's brother-in-law by smashing glass door with intention to commit offence. Upon protest, they inflicted by means of knife knife to the brother-in-law of the informant due to which he sustained injuries and succumbed to injuries.

4. Learned counsel appearing on behalf of the



petitioner has submitted that petitioner is innocent and has committed no offence. The petitioner is not named in the FIR rather he has falsely been implicated in this present case merely on the basis of confessional statement of co-accused. The informant is not an eye witness of the alleged occurrence and there is no specific allegation of assaulting against the petitioner. During investigation, 25,000/- cash was recovered from the house of the petitioner, but the same has not been put on TIP and in the FIR it is also not mentioned that how much cash was looted in the alleged offence. It is further submitted that the recovered cash belongs to the father of the petitioner. Moreover, the petitioner is languishing in judicial custody since 22.09.2022.

5. Learned APP appearing for the State has vehemently opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Malsalami P.S. Case No. 438 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of



learned Additional Sessions Judge-IX, Patna City.

(Sunil Kumar Panwar, J)

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