

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83605 of 2024

Arising Out of PS. Case No.-435 Year-2023 Thana- MANER District- Patna

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Pintu Kumar S/O Lal Saheb Ray R/O Hira Tola, Sherpur, P.S- Maner, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ganesh Prasad Yadav, Adv.

For the Opposite Party/s : Mr.Ajit Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 09-12-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Maner P.S. Case No. 435 of 2023 instituted for the offences under Section 302, 34, 120(B) of the Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, the accusation against the accused persons including the petitioner is of being involved in the attack and murder of the Informant's brother Aun Kumar Singh.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case.



There is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The specific allegation of opening fire is upon the Informant's brother is against the co-accused Dhananjay Rai due to which his brother sustained injury and got died. There is no witnesses in this case who has stated anything adverse against the petitioner. The petitioner has no concern with the alleged occurrence. The petitioner has no criminal antecedent and is languishing in judicial custody since 22.08.2024, without any rhymes or reason.

5. Learned counsel for the petitioner again submits that the co-accused namely Deomanti Devi and Daya Nand Ray @ Daya Nand Kumar have been granted anticipatory bail by a Coordinate Bench of this Court vide orders dated 25.06.2024 and 02.08.2024 passed in Cr. Misc. Nos. 41466 of 2024 and 56044 of 2024 respectively.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged against the petitioner is serious in nature.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case,



there being no specific allegation of assault against the petitioner, the period of custody as also the petitioner having no criminal antecedent, let the petitioner, abovenamed, 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 Court below/concerned Court in connection with Maner P.S. Case No. 435 of 2023.

(Rudra Prakash Mishra, J)

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