

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3604 of 2024

Arising Out of PS. Case No.-292 Year-2023 Thana- BARAULI District- Gopalganj

Manjeet Kumar son of Damodar Mahto Village- Salehpur Ps- Mohammadpur
Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Adesh Raj Singh, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 29-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Barauli P.S. case No. 292 of 2023 instituted for the offences under Sections 399, 402, 414/34 of the Indian Penal Code and Section 25(1-b)a, 26, 35 of the Arms Act and Section 8/20 (b)(ii)(A) of the N.D.P.S. Act.

3. Prosecution case, in short, is that police, on the basis of secret information, raided the place of occurrence. On seeing the police party, all the accused persons tried to flee away but some of the accused persons were apprehended on the spot whereas few of the accused persons, including this petitioner, managed to flee away.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 22.08.2023 and has nine criminal antecedents. The petitioner has falsely been implicated in the present case only on the basis of confessional statement of



the co-accused person, Rahul Kumar who has already been granted bail by a co-ordinate Bench of this Court vide order dated 13.12.2023 passed in Cr. Misc. No. 62285 of 2023. Learned counsel further submitted that nothing incriminating has been recovered from the possession or from the house of the petitioner. He further submitted that except the confessional statement of the co-accused person there is nothing on record against this petitioner.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, the period of custody undergone by the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

7. Let the 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 Court below/concerned Court in connection with Barauli P.S. case No. 292 of 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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