

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.252 of 2024

Arising Out of PS. Case No.-114 Year-2022 Thana- KORHA District- Katihar

Manish Kumar Alias Manish Paswan, aged about 27 years, Gender-Male,
Son of Ashok Paswan Resident of Village- Rajwadeeh, P.S.- Janki Nagar, Dis-
trict- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 19-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks regular bail in connection with
Korha P.S. Case No. 114 of 2022 instituted for the offences
punishable under Sections 392 and 307 of the Indian Penal
Code and Section 27 of the Arms Act.

As per prosecution case, the informant was going
along with his driver towards Kheriya Haat from Purnea con-
taining cash of Rs.16,30,000/- which was kept inside the dickey
of his vehicle as described in the FIR. In the way near Musapur,
three miscreants on one motorcycle intercepted the informant
and fired but the informant escaped unhurt and on the point of
pistol, the miscreants took away the bag of the informant contain-



ing cash of Rs.16,30,000/-.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He further submits that petitioner is not named in the FIR and no looted money has been recovered from the possession of the petitioner and he is in judicial custody since 19.09.2023. He next submits that similarly situated co-accused persons have already been granted bail by different Benches of this Court passed in Cr. Misc. Nos. 35179 of 2022, 36054 of 2022, 46624 of 2022 and 48915 of 2022 respectively.

Learned APP for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case and also the fact that similarly situated co-accused persons have already been granted bail by different Benches of this Court, let the petitioner above named be released on bail ***after framing of the charge*** on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Katihar in connection with Korha P.S. Case No. 114 of 2022 with the following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affi-



davit in bail application.

(ii) Petitioner will cooperate in trial and will remain present on all dates and absence for two consecutive dates would be a ground for cancellation of bail by the learned trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

U		T	
---	--	---	--

