

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86643 of 2023

Arising Out of PS. Case No.-419 Year-2023 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

Manish Kumar Yadav Son of Manoj Yadav R/o vill - Bari Khanjarpur, P.s. -
Barari, Distt. - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh, Adv.

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

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

ORAL ORDER

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

2. The petitioner seeks bail in connection with Kotwali
(Tilkamanjhi) P.S. Case No. 419 of 2023 instituted for the
offences under Sections 414/34 of the Indian Penal Code.

3. As per prosecution case, the Informant, S.H.O., on
receipt of secret information, reached at the place of occurrence
and saw that some persons are coming along with a *Thela*
loaded with iron grill. On seeing the police, they tried to escape
from there but, they were caught and disclosed their names as
Vikash Das, Rajesh Das, Raja Das and Manish Kumar Yadav
(the petitioner). They were arrested by the police and the iron
grill weighing 130 Kg was recovered and the seizure list was



prepared.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case due to highhandedness of the police officials. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present bail application. He further submits that there is no compliance of Section 100(4) of the Cr.P.C. and there is no independent witness of the seizure list. The petitioner is in custody since 05.05.2023.

5. Learned counsel for the petitioner submits that the other co-accused persons viz. Bikash Kumar, Rajesh Das and Raja Das have been granted bail by a Co-ordinate Bench of this Court vide order dated 25.07.2023 passed in Cr. Misc. No. 44261 of 2023.

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

7. Considering the entire facts and circumstances of the case and taking into account 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 Kotwali (Tilkamanjhi) P.S. Case No. 419 of
2023.

(Rudra Prakash Mishra, J)

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