

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2059 of 2025

Arising Out of PS. Case No.-179 Year-2024 Thana- KHAJEKALA District- Patna

Manav Kumar @ Raja @ Haddi, aged about 22 years, Male, S/O Bajrangi Prasad @ Bajrang Prasad, Resident of Mohalla - Machchharhatta Gali, Kale Hanuman Ji Ki Gali, P.S- Khajekalan, District - Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Arvind Kumar Pradhan, Advocate
For the Opposite Party : Mr. Uday Pratap Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 14-02-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Sessions Trial No. 1359 of 2024, arising out of Khajekalan P.S. Case No. 179 of 2024 dated 22.04.2024 registered for the offences punishable under Sections 302 read with Section 34 of the I.P.C. and Section 27 of the Arms Act.

3. As per the prosecution case, on 22.04.2024 at 10.40 A.M., the brother of the informant Ali Imam @ Tazzu, parked his Apache Motorcycle bearing Registration No. BR-01EF-1356 by the side of the gate of Gaighat Civil Court, Patna City, which was stolen for which F.I.R. was lodged in Alamganj Police Station. It is further alleged that at about 3.35 P.M., the friend of



his brother namely, Md. Pintu, informed him on his mobile that his motorcycle was parked at Sadargali Grahiya under the Khajekalan Police Station, accordingly, his brother Md. Tazzau, arrived there and behind him, the informant also went there and saw that the stolen motorcycle was standing there and three persons were also standing there, his brother asked them, where from they got his motorcycle, it is his motorcycle. Upon which, all the accused persons started abusing and assaulting his brother, when the informant tried to save his brother, then one of them took out a pistol from his waist and shot his brother in his chest and fled away. His brother fell down and covered in blood. It is further alleged that with the help of nearby people, the informant took his brother to P.M.C.H., Patna, where the doctor declared him dead.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. The petitioner is not named in the F.I.R. His name has come in the present case on the basis of the confessional statement of the co-accused Vicky Kumar which has got no evidentiary value in the eye of law. It is further submitted that the co-accused Prakash Kumar @ Prakash Mod has also been arrested and his confessional statement was recorded in which



he has accepted that he has fired from the pistol on the chest of the deceased i.e., brother of the informant. It is further submitted that except the confessional statement of the co-accused there is no any substantive evidence to suggest the implication of the petitioner in the present case. He has no concern with the alleged offence. The charge sheet has been submitted in the present case. The petitioner was not put on T.I. Parade. The other co-accused person, namely, Vicky Kumar @ Vikky Kumar has already been granted bail by a Bench of this Court vide Cr. Misc. No. 60515 of 2024 under order dated 26.10.2024, annexed as Annexure-P/2 to the present bail application. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 18.05.2024.

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

6. Considering the aforesaid facts and circumstances of the case as well the period of custody, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court/A.D.J.-III, Patna City in connection with Sessions Trial



No. 1359 of 2024, arising out of Khajekalan P.S. Case No. 179
of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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