

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8338 of 2025

Arising Out of PS. Case No.-56 Year-2018 Thana- MANJHI District- Saran

Biru Kumar Singh @ Biru Singh, (M) aged about 29 yrs. S/o- Late Manan Singh, R/V- Teghra Narawn, P.S-Manjhi, Dist.-Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeet Kumar Singh, Advocate
For the Opposite Party/s : Mr. Manoj Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 14-02-2025 Heard Mr. Sanjeet Kumar Singh, learned counsel appearing on behalf of the petitioner and Mr. Manoj Kumar, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Manjhi P.S. Case No. 56 of 2018, registered for the offence punishable under Sections 399, 402 of the Indian Penal Code and Sections 25(1-B) (a), 26 and 35 of the Arms Act.

3. As per the allegation made in the FIR, upon receiving secret information that a group of miscreants, with an intention to commit crime had assembled, the police officials conducted a raid, in which one co-accused, namely, Sonu Kumar was apprehended on the spot.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and has falsely



been implicated in the present case. General and omnibus allegation has been levelled against the petitioner. Petitioner is not named in the FIR and the petitioner has been dragged in the present case on the basis of confessional statement made by one co-accused Rohit Singh in police custody, which has no evidentiary value in the eye of law. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the rival submissions made on behalf of the parties, as well as, the fact that general and omnibus allegation has been levelled against the petitioner. Petitioner is not named in the FIR and the petitioner has been dragged in the present case on the basis of confessional statement made by one co-accused Rohit Singh in police custody, which has no evidentiary value in the eye of law. I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/-



(Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate (11) Saran at Chapra, in connection with Manjhi P.S. Case No. 56 of 2018, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

Niraj/-

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

