

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31044 of 2025

Arising Out of PS. Case No.-133 Year-2024 Thana- Manikpur District- Lakhisarai

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Jauhari Sada @ Etwari Sada S/o Gujji Sada R/o Vill.- Jhapani, P.S.- Medni
Chowki, Distt.- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mayank Bilochan, Advocate

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

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

ORAL ORDER

2 08-05-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with
Manikpur P.S. Case No. 133 of 2024, instituted for the offences
punishable under Sections 310(4), 310(5), 61(2), 3(5) of the
Bharatiya Nyaya Sanhita, 2023 read with Sections 25(1-B)(a)
and 26 of the Arms Act.

3. The prosecution case, in short, is that, the petitioner
along with other co-accused persons have been caught while
planning to commit a loot. It is further alleged that one country
made pistol has been recovered from the possession of co-
accused person.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner has got no concern either with the alleged occurrence or with the co-accused persons. The petitioner was present at the place of occurrence being a co-passenger of an e-rickshaw. It is next submitted that no recovery of arms have been made from the possession of the petitioner. The petitioner is in custody since 03.11.2024 and has got no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 22.04.2025 passed in Cr. Misc. No. 2166 of 2025.

5. Learned APP 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 and taking into account the period of custody undergone by the petitioner, 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Manikpur P.S. Case No. 133 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

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