

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32196 of 2025

Arising Out of PS. Case No.-14 Year-2025 Thana- DIDARGANJ District- Patna

Manish Kumar, aged about 24 years, Male, Son of Degan Mahto Resident of village - Didarganj (Near D.P.S.- School), Police Station - Didarganj, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh, Advocate

For the Opposite Party/s : Mr.Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 20-08-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks regular bail in Didarganj P.S. Case No. 14 of 2025, dated 10.01.2025, registered under Section 309(6) of the *Bharatiya Nyaya Sanhita, 2023*. Subsequently, Section 310(2) of the *Bharatiya Nyaya Sanhita, 2023* was added.

3. As per the prosecution, First Information Report (for brevity 'FIR') has been lodged against unknown persons alleging that they had committed dacoity and forcefully snatched the key of the motorcycle and also took Rs. 90,000/- from the dicky of the motorcycle.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and he has been falsely implicated in the present case. It is further submitted that the FIR was initially lodged against three unknown persons, and the petitioner has been implicated merely on the basis of the confessional statement of co-accused Dharmendra Rai @ Dharambir Rai, who has already been granted regular bail by a Co-ordinate Bench of this Court *vide* order dated 04.06.2025 passed in Cr. Misc. No. 34525 of 2025. Further submission is that no incriminating article has been recovered from the possession of the petitioner, and no Test Identification Parade (TIP) has been conducted till date. The petitioner has been in judicial custody since 25.01.2025 and has two other criminal cases pending against him.

5. Learned Additional Public Prosecutor for the State has opposed the prayer.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Patna City, Patna, in connection with Didarganj P.S. Case No. 14 of 2025, subject to the following conditions:-(i) that the petitioner shall



co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below, (ii) that one of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife, (iii) that the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse (iv) that 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 and (v) that the petitioner will appear before the SHO of concerned PS in the first week of each month till the framing of the charge.

7. The application stands allowed .

(Khatim Reza, J)

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