

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88674 of 2024

Arising Out of PS. Case No.-187 Year-2024 Thana- GOPALPUR District- Patna

Manti Kumar @ Vivek Kumar S/O Pramod Singh R/o Village - Mahamadpur,
P.S- Dhanarua, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 17-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 302, 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. The case of the prosecution is that the husband of the informant works at cement shop of one Neeraj Kumar. The informant received an information that her husband has been shot. On this information, Neeraj Kumar and Sweeti Kumari went there. He was brought in a vehicle and in the way the husband of the informant told that Tannu Kumar in connivance with his associates arrived on a bike and shot him.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has



falsely been implicated in this case. From perusal of the FIR, it is clear that the deceased has only disclosed the name of Tannu Kumar. The name of this petitioner has surfaced in the confessional statement of co-accused namely, Ujjwal Kumar and Tannu Kumar. According to the confessional statements, the role which has been attributed is that he has hatched the conspiracy. It is also submitted that prior to the occurrence, the petitioner has surrendered in one of the case and he was in custody before the occurrence. Since he was in custody before the occurrence, hatching of conspiracy is not possible. During investigation, police has not brought any CDR to connect the petitioner with the conspiracy. It is further submitted that the petitioner is languishing in judicial custody since 21.06.2024.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sessions Trial No. 1390 of 2024 arising out of Gopalpur P.S. Case No. 187 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the



satisfaction of learned Additional Session Judge, XXXIII, Patna.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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