

Manish Kumar vs The State Of Bihar on 4 July, 2023

Author: Sunil Kumar Panwar

Bench: Sunil Kumar Panwar

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25479 of 2023
Arising Out of PS. Case No.-611 Year-2022 Thana- SHEKHPURA District-
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MANISH KUMAR Son of Sri Manoj Sao Resident of mohalla - Chaksiwan,
P.S - Sheikhpura, Distt. - Sheikhpura

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Mayank Raj
For the Opposite Party/s	:	Mr.Renu Kumari
For the Informant	:	Dr. Anjani Pd. Singh with Mr. Sunny Kumar, Advocates

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 04-07-2023

Heard learned counsel for the petitioner, informant and learned APP for the State.

The petitioner has prayed for regular bail in a case instituted for the offence under Section 363 of the IPC and later on added Sections 302, 201, 120B/34 of the IPC.

As per prosecution case, the marriage of the informant's daughter was solemnized with one Ashish Kumar, thereafter she is stated to be lived separately from her husband. It is further alleged that informant's daughter had left the house in the morning on 14.10.2022 and subsequently, she could not been traced out, however, it is alleged that the accused persons along with some unknown kidnapped and killed the deceased as well as her child and thrown their dead bodies in Ganga river. Patna High Court CR. MISC. No.25479 of 2023(3) dt.04-07-2023 It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has committed no offence. Petitioner is not named in the FIR. The name of the petitioner has come into light, on the basis of confessional statement of co-accused Sunil Chaudhary and Aashish Kumar @ Ashok Kumar, which has got no evidentiary value in the eyes of law. The petitioner has not participated in the alleged crime and he is a witness of this case. There is no direct or indirect evidence to connect the petitioner in the alleged crime. He further submitted that the other co-accused has already been

granted bail by this Bench vide order dated 26.06.2023 passed in Cr. Misc. No. 15665 of 2023. He is languishing in judicial custody since 11.11.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Sheikhpura in connection Patna High Court CR. MISC. No.25479 of 2023(3) dt.04-07-2023 with Sheikhpura P.S. Case No. 611 of 2022.

(Sunil Kumar Panwar, J) arish/-

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