

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28658 of 2015

Arising Out of PS.Case No. -35 Year- 2000 Thana -UDAKISHANGANJ District- MADHEPURA

1. Mantu Singh Son of Fuleshwar Singh Resident of Village Shahjadpur,
P.S. Uda Kishunganj, District Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Sanjay Kumar Singh

For the Opposite Party/s : Mr. Surendra Kumar (App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

3 27-10-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner seeks bail in connection with Udakishunganj
P.S. Case No. 35 of 2000 registered for the offences punishable
under Sections 147, 148, 149, 341, 342, 326, 307 of the Indian
Penal Code and Section 27 of the Arms Act.

Allegedly, the petitioner and his four other associates
surrounded the informant, caught hold him and co-accused
Phulehswari Singh shot bullet on him by country made pistol on
his right hand, co-accused Kusho Singh also fired but luckily it did
not hit him and thereafter, being instigated by co-accused Sujit
Singh, the petitioner Mantu Singh shot the informant on his left
Panjra resulting he fell down and became unconscious.



Submission is of false implication and that due to old enmity the petitioner has been named, at the place of occurrence nothing has been found by the Investigating Officer and it has come that it was Nitin Singh who injured the informant and the petitioner and others are living outside the village and, as such, he deserves sympathetic consideration to which the learned APP opposes by submitting that this is a case of year 2000, after showing absconder chargesheet has been submitted against the petitioner, the petitioner moved for pre-arrest bail before this Court vide Cr. Misc. No. 1347 of 2003 which was dismissed on 26.06.2003 which is evident from para 2 of this application itself and the petitioner remained absconding as such he does not deserve bail at this stage.

In the facts and circumstances stated above and further noticing that during investigation it has come that only Nitin Singh injured the informant, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge, Ad-hoc II, Madhepura in S. T. No. 24 of 2013 arising out of Udakishunganj P.S. Case No. 35 of 2000, subject to the conditions that one of the bailors must be a near relative and another having sufficient

immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

avin/-

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