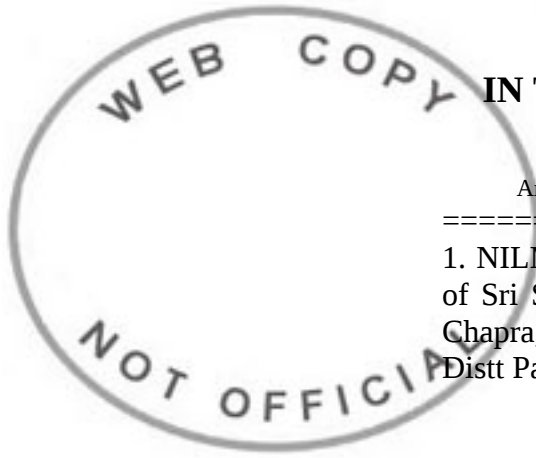




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22246 of 2016

Arising Out of PS.Case No. -385 Year- 2015 Thana -RAJIVNAGAR District- PATNA

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1. NILMANI KUMAR SINGH @ NISHANT @ NILMANI KUMAR Son
of Sri Sanjay Singh Resident of Village- Harpura, PS Baniyapur, District
Chapra, At present Akawana Khothi, Keshari Nagar, Patna PS Shastri Nagar
Distt Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dayan Shanker Prasad

For the Opposite Party/s : Mr. Sangita Sharma (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 24-05-2016 Heard the learned counsel for the petitioner as well as

the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences
punishable under sections 147, 148, 149, 387, 341, 323, 324, 504,
506, 307, 302, 448 and 120 (B) of the I.P.C and section 27 of the
Arms Act.

In the First Information Report there is specific
allegation that co-accused Niraj Singh, Manoj Rai, Sonu Singh
and Nakat Gope opened fire with their pistols causing injury to
Deoraj Singh @ Jaikant and Manjit Kumar Singh and Deoraj

Singh @ Jaikant succumbed to the injuries. The petitioner is not named in the First Information Report and during investigation his name transpires and further he confessed his guilt.

Submission is of false implication and that the petitioner has been made victim of the police atrocity, he has been detained illegally in the police custody, the mother of the petitioner has filed petition before the Human Right Commission, Patna and has lodged Complaint Case No. 342 © of 2016 against Rama Kant Tiwary, S.H.O. Rajiv Nagar Police Station and other co-accused in this case, namely, Shatrudhan Rai @ Shatrughan Rai, Robin Kumar, Monti Kumar @ Ravi Prakash Ranjan and Jai Prakash Yadav @ J.P. @ Jai Prakash Rai have already been allowed bail and as such the petitioner also deserves sympathetic consideration, to which the learned A.P.P. does not dispute.

In the facts and circumstances as stated above, the petitioner is also directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M. Patna in Rajiv Nagar P.S. Case No. 385 of 2015, 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)

Abhay/-

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