

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.7187 of 2017

Arising Out of PS.Case No. -159 Year- 2016 Thana -MAJORGANJ District- SITAMARHI

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Manish Singh @ Manish Kumar Singh

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shankar Kumar, Advocate

For the Opposite Party/s : Mr. Arbind Kumar Pandey, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 20-02-2017

Heard leaned counsel for the petitioner and learned

A.P.P. for the State.

The petitioner is languishing in jail since 26.08.2016 in connection with Majorganj P. S .Case No. 159 of 2016, G.R. No. 1889 of 2016 for offences punishable under Sections 302/34 of the Indian Penal Code and 27 of Arms Act.

The prosecution case as lodged by the informant, who was working in M.S. Lakshman Company is that on the alleged date of occurrence, three miscreants came there and asked about Munshi and when Munshi Dharmvir Singh came there, they fired upon him, resultantly Munshi Dharmvir Singh succumbed to injuries and a paper was stuck there in which responsibility was taken by one ‘ Kshtriya Organization Fauj’ and spokes person named as Raj Singh.



It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case on the confessional statement of one Prem Ranjan Singh, whose statement has no evidentiary value in the eye of law. He further submits that he has no connection with the said Organization and he has not been put on TIP and the said accused Prem Ranjan Singh @ Bittu Singh has been granted the privilege of bail by a Co-Ordinate Bench of this Court in Cr. Misc. No. 49360 of 2016 dated 10.01.2017 on the basis of bail granted to another co-accused in Cr. Misc. No. 51010 of 2016 on 22.12.2016. He further submits that charge sheet has already been submitted, hence there is no chance of tampering with the prosecution evidence.

However, learned A.P.P. for the State submits that the petitioner has been found to be a member of Organization as stated by the local several villagers, hence, opposes the prayer for bail.

Considering the facts and submission of the parties as well as the fact that two co-accused has been granted the privilege of bail, let the petitioner, above named, 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 Additional Chief Judicial Magistrate-1st class, Sitamarhi in connection with Majorganj P.S.Case No. 159 of 2016, G.R. No. 1889 of 2016 with subject to the conditions that the petitioner is directed to appear before the police/Court as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bond. This is subject to the further condition that the petitioner shall not directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

With these observations and directions, this bail application is allowed.

(Nilu Agrawal, J)

Sudha/-

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