

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15802 of 2017

Arising Out of PS.Case No. -86 Year- 2016 Thana -MATIHANI District- BEGUSARAI

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1. Manish Kumar @ Pappu Son of Ravindra Singh resident of Village -
Ramdiri, Ramnagar Tola, Police Station - Matihani, District - Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj

For the Opposite Party/s : Mr. Md. Arif

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 11-05-2017 Heard the learned counsel for the petitioner, the

learned counsel for the informant and the learned Additional

Public Prosecutor.

The petitioner seeks bail in Matihani P.S. case No. 86

of 2016, corresponding to Sessions Trial No. 48 of 2017, under

Section 387, 324, 326, 307/34 of the Indian Penal Code and under

Section 27 of the Arms Act.

The informant alleged that on 07.08.2016 he was

talking with his brother Devendra Prasad Singh and Balendra

Singh at his door but the petitioner along with Nitish Kumar came

and demanded extortion of Rs. 2 lacs. Nitish Kumar is said to have

fired which hit in the abdomen of the informant. When Balendra

Singh, brother of informant, came to save, the petitioner, Manish



Kumar @ Pappu, is said to have fired which hit on the left hand palm of Balendra Singh.

The learned counsel for the petitioner submits that story of demanding extortion is palpably false. Although, the witnesses have supported the fact of demand of extortion but the mother of the informant did not support the demand of extortion. The petitioner has got no criminal antecedent. The petitioner is alleged to have fired at Balendra Singh and the shot hit on the left hand palm of Balendra Singh. The shot did not hit any vital part of body of Balendra Singh and for that the petitioner is in jail for more than seven months.

On the other hand, the learned counsel for the informant as well as the learned Additional Public Prosecutor vehemently opposed the prayer for bail and submitted that the trial is in progress.

Having considered the facts that petitioner is alleged to have fired which hit on the left hand palm of Balendra Singh and there was a fracture on 4th finger but the petitioner has remained in jail for more than seven months, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri Sanjay Kumar Singh, learned Additional



Sessions Judge-VIII, Begusarai in Sessions Trial No. 48 of 2017, arising out of Matihani P.S. Case No. 86 of 2016, subject to condition that petitioner shall not be absent on any date, save and except on account of unavoidable reasons, during the course of trial.

(Prabhat Kumar Jha, J)

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