

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.40753 of 2017**

Arising Out of PS.Case No. -140 Year- 2017 Thana -BIHRA District- SAHARSA

=====

Mannu Kumar Singh, Son of Hariballabh Prasad Singh, Resident of  
Village- Rakia, P.S.- Bihra, District- Saharsa.

.... .... Petitioner/s

Versus

The State of Bihar.

.... .... Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Bishwanath Prasad Singh

For the Opposite Party/s : Mr. Sri Abhay Kumar - 1

=====

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR**  
**UPADHYAY**  
**ORAL ORDER**

3      17-10-2017                      Heard learned counsel for the petitioner and the State.

Petitioner is apprehending arrest in connection with  
Bihra P.S. Case No. 140 of 2017 for an offence under sections  
25(1-B)A, 26, 35 of the Arms Act.

Counsel for the petitioner submits that this instant  
case was registered after five months of the alleged occurrence as  
a counter blast of the Bihra P.S. Case No. 11 of 2017 registered at  
the instance of the petitioner on 21.01.2017. Counsel for the  
petitioner submits that the petitioner has falsely been implicated in  
this case on account of village politics as the wife of the petitioner  
is the Sarpanch of the Rakia Gram Panchayat.

Counsel for the petitioner further submits that there is  
no explanation in the FIR about the inordinate delay of five



months in lodging the FIR on 30.06.2017 for the alleged occurrence dated 21.01.2017.

Considering the fact that the petitioner has earlier registered Bihra P.S. Case No. 11 of 2017 and nearly after five months, the informant has lodged this case on 30.06.2017 against this petitioner, the court is inclined to grant bail to the petitioner named above, in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Saharsa, in connection with Bihra P.S. Case No. 140 of 2017 subject to the condition as laid down under section 438(2) of the Cr.P.C. with further condition that the petitioner will cooperate in the investigation and will not, in any manner, influence the evidence or the witnesses.

Ravi/-

**(Anil Kumar Upadhyay, J)**

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

