

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 27035 of 2018

Arising Out of PS. Case No.-166 Year-2017 Thana- Manihari District- Muzaffarpur

Binod Sah, son of Yadunath Sah, resident of Village- Chak Mehasi, P.S.-
Maniyari, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ganesh Prasad Singh

For the Opposite Party/s : Mr. Nand Kishore Pd.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 04-05-2018 Heard Sri Amresh Kumar Sinha, learned counsel for
the petitioner and Sri Jitendra Kumar Singh, learned Addl.
Public Prosecutor.

The sole petitioner, who is in custody in Maniyari P.S.
Case No. 166 of 2017 registered for offence under Sections 147,
148, 149, 302 of the Indian Penal Code and Section 27 of the
Arms Act, 1959, has prayed for grant of bail.

Learned counsel for the petitioner, at the very outset,
submits that in the F.I.R. itself, the informant has stated that his
deceased brother in injured condition had disclosed the name of
three accused persons and among three accused persons, he
alleged that one Pankaj had fired on him. Learned counsel for
the petitioner has further drawn my attention to Annexure – 2 to
the petition to show that one of the F.I.R. named accused



namely Ramchandra Rai has already been granted bail on 21-12-2017, vide Cr. Misc. No. 60440 of 2017. According to learned counsel for the petitioner, none had seen the occurrence and only the deceased, in injured condition, had disclosed the name of three accused persons. He further submits that due to old animosity, petitioner has falsely been implicated in the present case.

Be that as it may, considering the fact that one of the F.I.R. named accused has already been granted bail, there is no reason to refuse the same prayer of the petitioner.

Accordingly, let the petitioner namely Binod Sah be enlarged on bail on furnishing bail-bond of **Rs. 10,000/-** (ten thousand) with two sureties of like amount each to the satisfaction of Sr. Nayan Kumar, learned Judicial Magistrate 1st Class, Muzaffarpur in connection with Maniyari P.S. Case No. 166 of 2017.

(Rakesh Kumar, J.)

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