

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9387 of 2018

Arising Out of PS.Case No. -226 Year- 2015 Thana -SULTANGANJ District- BHAGALPUR

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1. Manan Singh, Son of Dr. Ashok Singh, Resident of In Front of Bari Post Office-Ward no. 1, P.S. Sultanganj, District-Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jawed Ahmad

For the Opposite Party/s : Mr. Narendra Kumar Singh

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

3 07-03-2018 Heard learned Senior Counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner has been in custody since 28.05.2016 in connection with Sultanganj P.S. Case No. 226/2015 registered for the offences punishable under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

Learned Senior Counsel for the petitioner submits that the present petitioner has been taken into custody on mere suspicion and only because he was seen fleeing from the place of occurrence. It is further submitted that four other unknown persons who were found fleeing were subsequently taken into custody and on the basis of their confessional statement, the petitioner has also been roped in. It is further submitted that



though the persons who had made the confessional statement has since been extended the privilege of bail vide order dated 12.04.017.

Diary in this case was called for which has since been received.

Learned counsel appearing on behalf of the State after perusal of the case diary submits that the name of the petitioner has come in the confessional statement made before the police by Lavish Yadav and Jyotish Yadav and the petitioner was also seen fleeing from the place of occurrence. However, the main person Sanjay Yadav with whom the informant had seen her husband talking just prior to the incident has not been examined in this case who could have proved to be a material witness.

Having considered the entire facts and circumstances of the case and the remote connection being drawn against the petitioner, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the 5th A.D.J., Bhagalpur, in connection with Sultanganj P.S. Case No. 226/2015, subject to the following conditions:-

- (1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his



wife.

- (2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.
- (3) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.
- (4) The petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjana Mishra, J)

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