

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9799 of 2019

Arising Out of PS. Case No.-227 Year-2018 Thana- CHAUSA District- Madhepura

Manish Kumar, Age 22 (Male), son of Manikant Mehta @ Manilal Mehta
R/o vill.-Bhola Basa, Paina, P.S.-Chausa, Dist.- Madhepura

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal
For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 28-02-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Chausa P.S. Case No. 227 of 2018 registered for the offence punishable under Sections 302, 120 B, 34 of the Indian Penal Code and Section 27 of the Arms Act.

Informant has alleged that F.I.R. named accused including the petitioner surrounded his brother and, thereafter, petitioner, Bijendra Mehta caught hold of him and on order of co-accused, Dharmdeo Singh, co-accused, Sunil Singh, Sanjay Singh, Pawan Singh opened fired from their firearms, as a result of which, he succumbed to injuries.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case. It has further been submitted that petitioner has not fired upon the



deceased. Similarly placed co-accused Suraj Mehta and another have already been granted bail by a co-ordinate Bench of this Court vide order dated 17.01.2019 passed in Cr. Misc. No.79889 of 2018. Petitioner has no criminal antecedent and he is in custody since 31.08.2018.

Informant has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Madhepura in connection with Chausa P.S. Case No. 227 of 2018, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case,



prosecution will be at liberty to move for cancellation of
bail of the petitioner.

(S. Kumar, J)

Sanjay/-

U		T	
---	--	---	--

