

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17175 of 2019

Arising Out of PS. Case No.-156 Year-2018 Thana- HARNAUT District- Nalanda

MANISH KUMAR @ MANISH SINGH Son of Radheshyam Singh Resident
of Village- Patel Nagar (Raghubansh Market), P.S.-Harnaut, District- Nalanda
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh
For the Opposite Party/s : Mr. Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

4 22-07-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is accused in connection with Sessions
Trial No. 683 of 2018 arising out of Harnaut P.S. Case No. 156
of 2018 registered under sections 365/34 of the I.P.C. pending in
the Court of 1st Additional Sessions Judge, Nalanda at
Biharsharif and later on, sections 364, 302, 201, 120(B) of the
I.P.C. was added.

Submission of learned counsel for the petitioner is
that except the confessional statement of co-accused Diwakar
Kumar, no any cogent material has been attributed against the
petitioner. As per material available on record that the cloth,
sleeper and other articles along with blood found at the house of
co-accused, not from the house of the petitioner. Further
submission is that during course of investigation, it has also



come that the deceased Rakesh Kumar has fallen in love affair with the daughter of Diwakar, due to that reason, this occurrence took place. Petitioner has no concern with Diwakar Kumar and others. It is also submitted that co-accused Deepak Kumar has already been granted bail by a Bench of this Court vide Cr. Misc. No. 69850 of 2018 and the petitioner is in custody since 06.06.2018.

Learned A.P.P. appearing on behalf of the State opposed the prayer of the petitioner by contending that petitioner is named in the first information report. He further submits that co-accused namely, Deepak Kumar has been granted bail by a Bench of this Court because he was not named in the First Information Report. Hence, the petitioner does not deserve the privilege of bail.

Having considered the above facts and circumstances of the case, this Court is not inclined to allow the prayer of the petitioner for bail. Accordingly, this application is rejected.

However, liberty is given to the petitioner to renew his prayer for bail after framing of charge.

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(Arvind Srivastava, J)

