

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17459 of 2019

Arising Out of PS. Case No.-402 Year-2018 Thana- MAJORGANJ District- Sitamarhi

Manish Bihari Singh, Son of Rambabu Singh Resident of Village - Mohni
Mandal, Bishun Singh Tole, P.S.- Riga, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashhar Mustafa

For the Opposite Party/s : Mr.Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-04-2019 Heard learned counsels for the petitioner and the
State.

The petitioner is languishing in custody since 27.10.2018 in a case registered for the offences punishable under Sections 147, 148, 149, 333, 353, 307, 331, 337, 338, 427, 323 and 504 of the IPC and Section 27 of the Arms Act.

The prosecution case, as per the self statement of Praveen Prabhakar, being the S.I.-cum-S.H.O., Majorganj, recorded on 06.10.2018 is to the effect that on the same day, the informant along with other police personnel laid the raid in the house of the petitioner in connection with investigation of a case of kidnapping, when the petitioner along with other co-accused persons started resorting to fire upon the police force and started fleeing away and when the police personnel chased them, the



petitioner along with 30-40 villagers attacked upon the police force by pelting bricks and stones, assaulted them and made attempt to snatch the rifle of the police personnel.

It is submitted by learned counsel for the petitioner that since the police falsely tried to implicate the petitioner in that case, whereupon, the petitioner made protest, hence, the accusation has maliciously been levelled against the petitioner. It is further submitted that no police personnel has received any injury. A statement has been made in paragraph no.3 of the petition that though the petitioner is accused in ten other cases, but except one case, he is on bail in all the cases.

Learned APP submits that the petitioner is named in the FIR with specific accusation.

Considering the accusation not being corroborated by any medical opinion and the investigation already being concluded, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned ACJM-I, Sitamarhi in connection with Majorganj (Suppi O.P.) P.S. Case No. 402 of 2018.

Considering the serious criminal antecedent of the petitioner, the learned Court below will be at liberty to cancel



the bail bonds of the petitioner if he substantially gets involved in some serious nature of offence, or defaults for two consecutive occasions.

(Dinesh Kumar Singh, J)

Amrendra/-

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