

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26770 of 2019**

Arising Out of PS. Case No.-149 Year-2016 Thana- NAUGACHIA District- Bhagalpur

=====

MANKESHWAR SINGH @ MANTU SINGH @ MANTA SINGH Son of
Late Surendra Singh Resident of Village - Pakra, P.S.- Nawgachia, Distt.-
Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Dinesh Choudhary
For the Opposite Party/s : Mr.Jitendra Kumar Singh

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 26-06-2019 Heard the learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in S.Tr. No. 241/2018, arising
out of Naugachia P.S. Case No. 149/2016, instituted for offences
under Sections 147, 148, 149, 302 and 120(B) of the Indian Penal
Code read with Section 27 of Arms Act.

Earlier prayer for bail of petitioner was rejected by this
Court in Cr. Misc. No. 59308/2018 dated 06.10.2018 with liberty
to renew the prayer for bail after six months, if no substantial
progress is made in trial.

Learned counsel for the petitioner has submitted that
there is general, omnibus and vague allegation against this
petitioner of making indiscriminate firing on *Devar* of informant,
namely, Binod Yadav, who died on the spot.

It is alleged in the written report that this petitioner



along with other accused persons made indiscriminate firing after surrounding brother-in-law (*Devar*) of informant on account of which he died on the spot.

Learned counsel for the petitioner has submitted that deceased was man of criminal antecedent. There was about 24 cases pending against him, which is mentioned in para 14 of bail petition.

The other co-accused persons have already been granted bail by different Benches of this Court vide orders dated 17.04.2019 passed in Cr. Misc. No. 22532/2019, dated 25.09.2018 passed in Cr. Misc. No. 23959/2018 and dated 12.03.2018 passed in Cr. Misc. No. 41887/2017.

Report from the court below regarding stage of trial has been received, from which it appears that charge has not been framed in this case till date.

Trial court has mentioned in the report that N.B.W. has been issued against the absconding accused persons.

From the report of trial court it appears that no any substantial progress has been made in trial.

Petitioner is in custody since 05.12.2017.

Considering the aforesaid facts and circumstances, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, be released on bail on furnishing bail



bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Addl. District & Sessions Judge, Nawgachia (Bhagalpur), in connection with S.Tr. No. 241/2018, arising out of Naugachia P.S. Case No. 149/2016, subject to the conditions that

- (I) both the bailors shall be the close relative of the petitioner.
- (II) Petitioner shall be present on each and every date fixed by the court and absence on two consecutive dates without valid reason will result in cancellation of bail bond of the petitioner and
- (III) If petitioner tamper with the evidence in the case, prosecution will be at liberty to move for cancellation of bail bond of the petitioner.

(Sanjay Priya, J)

rakhi/-

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

