

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36124 of 2019

Arising Out of PS. Case No.-82 Year-2019 Thana- SAHPUR District- Patna

MANOJ RAI @ MANOJ KUMAR, Son of Ram Janam Singh Yadav,
Resident of Village - Harpura, P.S.- Dulhin Bazar, Distt - Patna, at present
residing at Mohalla- Rajeev Nagar, Road No.- 24, P.S.- Rajeev Nagar, Distt -
Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nagendra Kumar
For the Opposite Party/s : Mr. Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 23-07-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in **Special Case No.2596 of 2019**
arising out of Sahpur P.S. Case No.82 of 2019 instituted for
the offence under Section(s) 307 and other allied sections of
Indian Penal Code and under Sections 25(1-b)a, 26, 27 and 35
of the Arms Act and Section 37 (c) of the Bihar Prohibition and
Excise Act.

Counsel for the petitioner submits that petitioner has
been implicated in this case on account of land dispute.

It is alleged in the written report that on the date of
occurrence 20-25 persons armed with weapon came on the land,
which was being harvested by the informant along with his
cousin Chandeshwar Kumar. It is alleged that this petitioner
made firing from pistol asking them to fled away, otherwise,



they would be killed. It is further alleged that country made pistol and cartridges were recovered from possession of the petitioner.

Counsel for the petitioner submits that from production cum seizure list it will appear that aforesaid arm was produced by the informant himself. There is no signature of the petitioner on the seizure list.

Counsel for the petitioner further submits that co-accused, Manoj Kumar Ram, has already been granted regular bail by co-ordinate Bench of this Court by order dated 28.05.2019 passed in Cr. Misc. No.34327 of 2019.

In the facts and circumstances of the case, 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 **Special Judge, Excise, Patna**, in connection with **Special Case No.2596 of 2019 arising out of Sahpur P.S. Case No.82 of 2019**, subject to the condition that both the bailors shall be close relative of the petitioner.

(Sanjay Priya, J)

J. Alam/-

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