

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54727 of 2019**

Arising Out of PS. Case No.-261 Year-2018 Thana- SAHEBGANJ District-
Muzaffarpur

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MANOJ KUMAR SINGH @ MANOJ SINGH, aged about 42 years, male, Son
of Late Pitamber Singh Resident of Village- Ahiyapur, P.S.- Sahebganj,
District- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Nachiketa Jha, Advocate.

For the Opposite Party: Mr. Bharat Bhushan, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 30-08-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Section 307 of the Indian Penal Code and Section
27 of the Arms Act registered in connection with Sahebganj P.S.
Case No. 261 of 2018.

3. It is submitted that the petitioner has been falsely
implicated and the F.I.R. is against unknown persons. In the
fardbeyan however it has been admitted that there was land
dispute between the parties who are agnates and in respect of
which an earlier occurrence had also taken place. The informant
is admittedly not an eye witness. It is submitted that except
suspicion, there is no objective material to connect the petitioner
with the alleged occurrence. It is further submitted that except
Muzaffarpur P.S. Case No. 463 of 2018 which was lodged by the
informant's side, the petitioner claims clean antecedents.

4. Be that as it may, in the event of the petitioner's



arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate Ist, West Muzaffarpur in connection with Sahebganj P.S. Case No. 261 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions -

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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