

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59103 of 2019**

Arising Out of PS. Case No.-104 Year-2019 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

=====

Manish Kumar @ Manish Kumar Singh Son of Late Ashok Singh @ Ashok
Kumar Singh Resident of Village- Nirpur, P.S.- Muffasil, District- Samastipur.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Kundan Kumar

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

3 20-11-2019 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with

Mufassil P.S. Case No. 104 of 2019 registered for the offences

punishable under Sections 307, 323, 326, 341, 447, 34 of the

Indian Penal Code and Sections 25(1-B) (a), 26, 27, 35 of the

Arms Act.

Petitioner is named in the first information report but

no specific overt-act has been attributed against him. However,

the victim filed complaint petition which was converted into

Mufassil P.S. Case No. 171 of 2019 and in the aforesaid case,

victim claimed that it was Suraj Singh who opened fire on him.

Submission on behalf of the petitioner is that



petitioner happens to be agnate of informant and there is enmity between them.

The record goes to show that petitioner was granted privilege of provisional anticipatory bail by a co-ordinate Bench of this court vide order dated 18.09.2019 and no report regarding misuse of privilege of bail by the petitioner has been reported.

Therefore, in the aforesaid circumstance, order dated 18.09.2019, by which the provisional bail was granted to the petitioner, is, hereby, confirmed.

Accordingly, this petition stands disposed of.

(Hemant Kumar Srivastava, J)

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