

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.57622 of 2019

Arising Out of PS. Case No.-309 Year-2019 Thana- MOHANIYA District- Kaimur (Bhabua)

MANISH SINGH, aged about 25 years, Male, Son of Ravan Singh, Resident
at Village - Aware, P.S.- Mohaniya, District – Kaimur

... Petitioner

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner : Ms. Kiran Kumari Sharma, Adv.
For the State : Mr. Damodar Prasad Tiwary, APP
For the Informant : Mr. Damodar Prasad Tiwary, Adv.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 11-09-2019

Heard learned counsel for the petitioner, the learned
counsel for the informant and learned Additional Public Prosecutor
for the state.

The petitioner seeks pre-arrest bail in connection with
Mohaniya P.S. Case No. 309 of 2019 for the offences alleged under
Sections 25(1-b)a, 26 and 35 of the Arms Act.

The accusation is that on receiving secret information about
presence of notorious criminal, Manish Singh, and his associates,
with fire arms, near the Amwari Petrol Pump, the informant, along
with the police officials reached there and then on seeing the police
party two persons started to flee away and on chase one was
apprehended, who disclosed his name as Nanda Singh. On search of
the bag one loaded country made pistol and nine empty cartridges
recovered. On query, Nanda Singh disclosed the name of Manish
Singh, who succeeded to flee away. He also disclosed that Manish
Singh has provided the seized materials.

The submission of the learned counsel for the petitioner is
that petitioner was not apprehended on the spot. In fact, the petitioner



is accused in Mohaniya P.S. Case No. 313 of 2015 registered under Sections 395 and 396 of the Indian Penal Code and Mohaniya P.S. Case No. 570 of 2016 registered under Section 395 of the Indian Penal Code in which petitioner is on bail and due to that reason the informant, police official, managed to show the name of the petitioner as co-accused.

Learned Additional Public Prosecutor for the State opposes the prayer for pre-arrest bail.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Mohaniya P.S. Case No. 309 of 2019 shall be released on pre-arrest bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Kaimur at Bhabhua, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

Shamshad/-

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

