

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61711 of 2019**

Arising Out of PS. Case No.-375 Year-2019 Thana- CHIRAIYA District- East
Champaran

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MANISH KUMAR SINGH @ MANISH KUMAR @ BHULAWAN SINGH Son of
Late Rama Singh Resident of Village-Bhagwatpur Bhaluaiya, P.S-
Shikarganj, District-East Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Raj Kishore Prasad
Mr. Rajeev Ranjan, Advocates.

For the Opposite Party: Mr. Jitendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 01-10-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 147, 148, 149, 150, 151, 152, 341, 342,
323, 324, 307, 379, 333, 353, 337, 338, 504 and 506 of the Indian
Penal Code registered in connection with Chiraiya P.S. Case No.
375 of 2019.

3. It is submitted that the petitioner has been falsely
implicated and the F.I.R. has been instituted against as many as
12 named and 100-150 unknown persons. The petitioner is
alleged to have tied a towel around the informant's neck and
dragged him but there is no injury report to support the
accusation. The F.I.R. has been lodged due to village politics
where the petitioner was the winner of the Panchayat Election,
2016. 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 provisional 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, Sikrahana at Dhaka Motihari, East Champaran in connection with Chiraiya P.S. Case No. 375 of 2019, 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.

5. The provisional bail granted to the petitioner shall be confirmed by the learned Court below upon verification within a further period of four weeks after furnishing bail bond, that no injury has been caused to the informant, conversely, his bail bond shall stand automatically cancelled.

(Vikash Jain, J)

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