

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78542 of 2019

Arising Out of PS. Case No.-398 Year-2018 Thana- SAHPUR District- Patna

Manohar Rai, Son of Late Tipan Rai @ Tipa Rai, Resident of Village -
Shankarpur Diyara, P.S.- Shahpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Usha Kumari Singh, Advocate

For the Opposite Party/s : Mr.Binod Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 03-12-2019 Heard learned counsel for the petitioner and the
learned counsel appearing on behalf of the State.

The petitioner is in custody since 28.06.2019 in connection with Shahpur P.S. Case No.398 of 2018 registered for the offence under Sections 341, 323, 307 of the I.P.C. and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the entire allegation against the present petitioner is false and fabricated and there is no eye-witness to the occurrence. It is further submitted that the story of the informant of going to the house of the petitioner for demand of money is also not correct as there was no money transaction between the parties. Learned counsel for the petitioner further submits that there is no specific allegation of as to how much amount was taken by



the informant and only the story has been carved out without any basis.

Considering the aforementioned facts and circumstances and that out of three antecedents as stated in paragraph 3, in two of the cases he has been granted bail whereas the third ended in acquittal, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-1st, Danapur, in connection with Shahpur P.S. Case No.398 of 2018, subject to the following conditions:

(1) One of the bailors will be his own blood relative, preferably, mother, son, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of his failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate 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.

(Anjana Mishra, J)

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