

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1026 of 2020

Arising Out of PS. Case No.-205 Year-2019 Thana- BHORE District- Gopalganj

Mannu Kumar Singh S/o Sri Ajay Singh Resident of Village- Barahara, P.S.-
Bhore, Distt- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 19-03-2020 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

The petitioner is languishing in custody since 27.10.2019 in a case registered for the offences punishable under Sections 302, 404, 120B/34 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case as per the written report of Harinarayan Singh submitted to the Station House Officer, Bhore Police Station is to the effect that on 13.06.2019 at 2.00 P.M. the informant's younger brother, Ramashraya Singh was sitting at his under construction petroleum dealership , in the meantime, six persons came on motorcycle and resorted to firing. The persons, who are resorted to fire, are named in the FIR are Brij Kishore Singh, Vivek Singh, Raju Singh, Arun



Kumar Mishra @ Pappu Mishra, Sanjay Mishra, and Vinay Mishra whereas three persons named as conspirators being Raghwendra Singh, Prabhunath Singh and Awadhesh Gond. The name of the petitioner sprang up subsequently when co-accused Vishal Singh, Pradeep Kumar Yadav and Shambhu Singh were apprehended and they made confession, admitting that the petitioner also participated in the commission of the offence.

It is submitted by learned counsel for the petitioner name of the non-FIR named accused persons was sprang up after six months of the occurrence and except that no further material has been collected whereas, Awadhesh Gond, who is named in the FIR as conspirator, has been granted anticipatory bail by Co-ordinate bench of this Court vide order dated 20.08.2019 passed in Cr. Misc. No. 51127 of 2019. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP after going through the case diary submits that the name of the petitioner sprang up during investigation though after six months of the occurrence.

Considering the nature of accusation, petitioner is not named in the FIR, FIR named co-accused has been granted anticipatory bail and investigation being already concluded,



coupled with the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on bail, on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Bhore P.S. Case No. 205 of 2019.

(Dinesh Kumar Singh, J)

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