

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7268 of 2020**

Arising Out of PS. Case No.-204 Year-2019 Thana- KASIMBAZAR District- Munger

MANISH KUMAR @ MANNU YADAV @ MANISH Son of Kaleshwar
Yadav @ Chalho Yadav Resident of Village - Nav Toliya, P.S.- Kasim Bazar,
Distt - Munger.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Raj Kishor Prasad, Advocate

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap, APP

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER**

3 02-07-2020 As of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through Video Conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual court proceedings from their homes, all with the aid of audio visual technology.

Heard learned Counsel for the petitioner and the learned Counsel for the State.

Petitioner apprehends arrest in Kasim Bazar. PS Case No. 204 of 2019 registered under Sections 307, 323, 504, 354, 379, 34 of the IPC and Section 27 of the Arms Act.

The informant has alleged that the petitioner has fired upon her when she demanded return of loan earlier advanced.

Learned Senior Counsel submits that the instant case is sequel to the earlier cases lodged by the informant against the petitioner. The same informant had earlier lodged Kasim Bazar PS Case No. 47 of 2020 and Kasim Bazar PS Case No. 67 of 2020 and in both cases the petitioner is on bail. The petitioner and the



informant's son have been on inimical terms due to dispute arising in course of their earlier partnership. Prior to the present case the petitioner had lodged his FIR bearing Kasim Bzar PS Case No. 203 of 2019 (Annexure 2). The witnesses who have been examined in investigation have not supported the firing at all let alone any injury caused.

Learned APP for the State has opposed the prayer for anticipatory bail.

Having considered the rival submissions this Court is inclined to grant the privilege of anticipatory bail to the petitioner.

Accordingly, let the petitioner above named, in the event of arrest or surrender before the court below within four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of CJM Munger in Kasim Bazar PS Case No. 204 of 2019 subject to all conditions as laid down in Section 438(2) of the Criminal Procedure Code as also the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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