

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 18201 of 2020**

Arising Out of PS. Case No.-620 Year-2018 Thana- MANER District- Patna

MANOJ KUMAR @ MANOJ RAI S/O Domani Rai @ Gumani Rai R/O
Balwant Tola, Brahamchari, P.S. - Maner, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Ghanshyam Tiwary, Advocate
For the Opposite Party/s : Mr Mohammed Arif, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 04-06-2020 The matter has been listed today for consideration
through Video Conferencing.

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

Heard Mr Ghanshyam Tiwary, learned counsel for the
petitioner as well as Mr Md Arif, learned APP for the State.

Petitioner seeks bail in Maner Police Station (for
brevity, PS) Case No 620 of 2018 instituted for the offence
punishable under Sections 302/34 of Indian Penal Code and
Section 27 of Arms Act.

Allegation in the first information report is that



several persons, variously armed, came and caught hold of informant's brother. They have allegedly assaulted him and fired upon him causing his death. 11 accused persons have been named.

Petitioner's counsel submits that there is no specific allegation against the petitioner. It is submitted that the petitioner was not in fact at the village at the time of occurrence where the alleged occurrence had taken place as he was in service at another place. The other co-accused persons, namely, Dahi Gope @ Krishna Rai @ Dhahi Rai, Bittan Sharma, Dharmendra Rai and Shatrudhan Rai, having similar allegations, have been allowed bail by different Benches of this Court in Cr Misc No 28664 of 2019, Cr Misc No 21518 of 2019, Cr Misc No 19513 of 2019 and Cr Misc No 41570 of 2019. Petitioner has no criminal antecedent and is in custody since 20.01.2020.

The learned APP for the State opposed the prayer for bail.

Considering the rival submissions, this Court is inclined to allow petitioner's prayer for bail.

Accordingly, let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of Judicial Magistrate, 01st Class, Danapur (Patna)
in Maner PS Case No 620 of 2018 subject to the following
conditions -

(1) 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 bailors will also
undertake to inform the Court if there is any change in the
address of the petitioner.

(2) 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)

M.E.H./-

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