

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25595 of 2020

Arising Out of PS. Case No.-64 Year-2018 Thana- MANPUR District- Nalanda

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Soni Singh, Male, aged about 24 years, Son of Suresh Singh, Resident of
Alaudiya Saray, P.S.- Manpur, District - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bindeshwar Prasad Singh, Advocate

For the State : Mr.Md. Mushtaque Alam, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 15-12-2020 Heard the parties through the virtual court proceeding.

The petitioner seeks bail in connection with Manpur
P.S. Case No. 64 of 2018 registered for the offences punishable
under Sections 341, 323, 302 of the Indian Penal Code and
Section 27 of the Arms Act.

The prosecution story, in brief, is that on 04.05.2018
at about 7/8 A.M., informant along with his father Bhola Singh
had gone to see his field. He saw that accused persons Mannu
Singh, Sanjay Singh, Uttam Singh, Sonu Singh, Raushan Singh,
Mikki Singh, Gopi Singh, Tape Singh and Mukesh Singh were
digging sand and loading the same on Tractor. They were
ruining the field of the informant. When his father prohibited
not to do so, Sanjay Singh ordered to kill him, then Uttam Singh
and the petitioner brutally assaulted to his father by means of
iron rod, when he fell down then accused persons putting the
Lathi of his neck started pressing due to which his father died.



He further alleged that when the informant tried to save him, they were also assaulted by him. When the witnesses came, the accused persons opened fire.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. He further submits that the allegation against the petitioner is that he assaulted with Lathi on the head of the deceased but the postmortem report is not supported by this fact. On perusal of the postmortem report itself, no sign of external injury was found on the body. No injury on chest, neck, head and limbs was found. The viscera report has been called for. The viscera report also said that no metallic Alkaloidal, Glycosidal, Pesticidal or volatile poison could be detected in the contents of plastic jars. The viscera report has been received in a sealed cover and the same was opened, which is kept on record. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted bail by this Co-ordinate Bench of this Court passed in Cr. Misc. No.3315 of 2019 and Cr. Misc. No.8440 of 2019.

Learned A.P.P. for the State opposed the bail petition.

In the facts and circumstances of the case, let the above named petitioner be enlarged on bail on furnishing bail



bond of Rs. 25,000/- (twenty five thousand) only with two sureties of the like amount each to the satisfaction of learned 6th Additional District and Sessions Judge, Nalanda, Bihar Sharif in connection with Manpur P.S. Case No. 64 of 2018, subject to the following conditions :

(1) One of the bailors will be his own blood relative, preferably, father, mother, 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 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 and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjani Kumar Sharan, J)

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