

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24272 of 2020

Arising Out of PS. Case No.-106 Year-2019 Thana- BELSAND District- Sitamarhi

MANI SINGH @ MANI SHANKAR SINGH Son of Late Raja singh
Resident of Village - Madhkaul, Police Station- Belsand, District - Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Madhubala Verma

For the Opposite Party/s : Mr.APP.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-09-2020 Heard learned counsel for the petitioner as well as
learned APP for the State through video conferencing.

Petitioner is an accused in a case registered for
offence punishable under Section 302, 379/34 I.P.C. and 27
Arms Act.

As per the prosecution case, on 14.07.2019 the
informant along with her father was going to Belsand Bazar on
Motorcycle. When they proceeded further from Madhkaul
village, co-accused Shobha Prasad and Rahul Kumar upon one
Motorcycle and co-accused Ravi Kumar and Ratan Kumar on
another Motorcycle and three unknown on third Motorcycle
overtook the Motorcycle of her father. Co-accused Rahul Kumar
and Ratan Kumar had pistol in their hands. All of a sudden, co-
accused Shobha Prasad stopped his Motorcycle in front of the



Motorcycle of deceased and co-accused Rahul Kumar and Ratan Kumar fired upon informant's father and three other miscreants also fired upon her father. Her father fell down. The deceased was taken to Belsand hospital and the motorcycle of the deceased was also taken away by someone else.

It is submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. Petitioner is not named in the FIR though he is co-villager of the informant. His name has come in this case on the confessional statement of co-accused Shivam Kumar who has already been allowed bail by this court vide order dated 05.06.2020 passed in Cr. Misc. No. 12982 of 2020. Save and except the confessional statement of the co-accused nothing incriminating has come against him during investigation. Petitioner is in custody since 05.12.2019.

Considering the facts aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-IV, Sitamarhi in Belsand Police Station Case No.106 of 2019, on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court and on his absence on two consecutive dates without sufficient reason, their bail-bonds shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence of witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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