

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35406 of 2020

Arising Out of PS. Case No.-74 Year-2020 Thana- MANSI District- Khagaria

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AADITYA AMAN @ MITHU SON OF ARUN KUMAR SINGH
RESIDENT OF VILLAGE - CHAKHUSAINI, PS and PO MANSI,
DISTRICT - KHAGARIA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Chhaya Kirti, Advocate

For the Opposite Party/s : Mr. Rajendra Nath Jha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 22-12-2020 Heard Ms. Chhaya Kirti, learned counsel for the

petitioner and Mr. Rajendra Nath Jha, learned Additional Public

Prosecutor appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with Mansi
P.S. Case No. 74 of 2020 registered for the offences punishable
under Sections 147, 148, 149, 341, 323, 307 of the Indian Penal
Code 1860 and Section 27 of the Arms Act.

The allegation as per the First Information Report is
that the petitioner along with other co-accused persons, eight in
numbers, armed with revolver, pistol etc. arrived at the house of
the informant and started indiscriminate firing, abused and
assaulted the informant and others.

Learned counsel for the petitioner submits that the



petitioner has falsely been implicated in this case with oblique motive. Learned counsel further submits that there is no specific allegation of firing upon the petitioner and the allegation against him is general and omnibus in nature. Learned counsel also submits that petitioner has got no criminal antecedent and he is an engineer by profession. Learned counsel next submits that there is case and counter case between the parties inasmuch as Mansi P.S. Case Nos. 73 and 76 of 2020 have been lodged by one of the co-accused of the present case namely, Sanmun Kumar, whereas Mansi P.S. Case No. 77 of 2020 has been lodged by Naresh Yadav. Learned counsel also submits that no injury report has been brought on record which would be evident from the impugned order itself. The petitioner is in custody since 23.08.2020 and charge sheet has already been submitted against him.

Having regard to the submissions made by the parties and taking into consideration the materials on record, the fact that the petitioner is in custody since 23.08.2020 and charge sheet has already been submitted as well as the injury report has not been brought on record by the prosecution, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be



released on regular bail on furnishing bail bonds of Rs.10,000/-
(Ten thousand) with two sureties of the like amount each to the
satisfaction of learned Chief Judicial Magistrate, Khagaria, in
connection with Mansi P.S. Case No. 74 of 2020.

It is made clear that at the time of furnishing bail
bonds all the parties shall follow the guidelines regarding social
distancing.

(Anil Kumar Sinha, J)

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