

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13346 of 2021

Arising Out of PS. Case No.-206 Year-2020 Thana- BARUN District- Aurangabad

MANISH KUMAR Son of Late Jay Singh Resident of Village - Amna, P.S.-
Aurangabad Mufasil, District - Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Bindhyachal Singh, Sr. Adv. Mr.Sushil Kumar Singh, Adv.
For the Opposite Party/s	:	Mr.H.A. Khan, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 23-09-2021 Heard the parties through virtual court proceeding.

Learned Senior Counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Barun P.S. Case No.206 of 2020, registered for the offence punishable u/s 427, 302/34 of the IPC and u/s 27 of the Arms Act.

The prosecution case in short is that the husband of the informant along with three persons was returning from Dehri to his village by his car but in the mean time, two persons riding motorcycle came in front of their car and tried to dodge/hoax



them but he got alert and went ahead, then 3-4 unknown persons, who were standing in side of the road started pelting stone upon vehicle. Thereafter, a white color Wagon R overtook his car and three persons, out of five came outside and started firing upon husband of the informant resulting in his death.

It is submitted by learned Senior Counsel for the petitioner that petitioner is quite innocent and has not committed any offence as alleged in the FIR. No offence, in the manner as alleged has ever taken place. Petitioner is not named in the FIR nor apprehended on the spot. He has been falsely implicated in the present case. There is no specific allegation against the petitioner. During investigation, the name of petitioner transpired in the present case merely on suspicion due to reflection of his mobile no. in the CDR Mobile number belonging to well identified co-accused. The specific allegation is levelled against Shiv Kumar Singh, Vishal and Ram Vijay Singh. Similarly situated co-accused Ram Vijay Singh @ Rambijay Singh and Sonu Kumar have been granted bail by co-ordinate benches of this Court vide Cr. Misc. No.14412 of 2021 dated 22.09.2021 and Cr. Misc. No.13275 of 2021 dated 24.06.2021 respectively. The petitioner has no criminal antecedent and has been languishing in custody since



02.11.2020.

Learned APP for the State opposed the prayer for bail.

Considering the facts and circumstances of this case, since similarly situated co-accused upon whom there was specific allegation have been granted bail, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad, Bihar, in connection with Barun P.S. Case No.206 of 2020.

(Anjani Kumar Sharan, J)

pallavi/-

U		T	
---	--	---	--

