

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 23155 of 2021

Arising Out of PS. Case No.-610 Year-2020 Thana- MAHUA District- Vaishali

Manish Kumar @ Golu Son of Lalu Singh @ Rakesh Kumar Singh Resident
of Village- Mukundpur Singhara, Police Station- Mahua, District- Vaishali.
... .. Petitioner.

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Nityanand

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-09-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual Court proceedings.

Learned 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 a case registered for the
offence punishable under Section 399, 402 and 414 of the Indian
Penal Code and Section 25 (1-b)/26/35 of the Arms Act.

Acting on a tip-off, when the informant along with
the police force reached at the Fatuha bridge, after seeing the
police party 5-6 persons started to flee out but any how two
persons were apprehended and the petitioner is one of them.
From the possession of the petitioner one motorcycle one
country made pistol, two live cartridges and one Vivo mobile is
said to have been recovered.



It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He is quite innocent and has been falsely implicated in this case. No incriminating article has been recovered from his conscious physical possession. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. As a matter of fact, no illegal arms has been recovered from the possession of the petitioner rather the same has been planted at the instance of his enemies in collusion with the police to make out a serious case against the petitioner. The petitioner has been languishing in custody since 22.10.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid and the period of custody, 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 Court below where the case is pending/successor Court in connection with Mahua P.S. Case No.610 of 2020.

(Anjani Kumar Sharan, J)

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