

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20184 of 2020

Arising Out of PS. Case No.-114 Year-2019 Thana- SAHPUR District- Patna

MANISH KUMAR Son of Late Devi Dayal Singh Resident of Village -
Usari, P.S.- Shahpur, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate. Mr.Dhirendra Nath Jha
For the Opposite Party/s :		Mr.Anil Kumar Singh No. 1
For the Informant	:	Mr. Parasuram Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 09-12-2021 Heard.

The petitioner seeks regular bail in connection with
Shahpur P.S. Case No. 114 of 2019 for the offence punishable
under Section 302/34 of the Indian Penal Code.

The allegation is regarding the accused persons
including the petitioner herein having cut the neck of the
husband of the informant, after an altercation had taken place in
the wheat field of the deceased.

The learned counsel for the petitioner has submitted
that the petitioner is innocent, has been falsely implicated in the
present case, is having a clean antecedent and is languishing in
custody since 22.05.2019. The learned Senior counsel for the
petitioner, Shri N.K. Agrawal, has further submitted, by



referring to an order dated 26.08.2021 passed in Cr. Misc. No. 30275 of 2020, whereby and where under bail was granted to one of the co-accused persons, that the main accused in the present case appears to be the mother of the co-accused person Manni Kumar. It is also submitted that the F.I.R. has been filed belatedly in as much as though the alleged occurrence is stated to have been taken place on 9.5.2019, but the statement of the eye witness namely Kaleshwari Devi was recorded only on 21.4.2019 belatedly.

Per contra, Shri Anil Kumar Singh No. 1, the learned APP appearing for the State and the learned counsel for informant Shri Parsuram Singh have vehemently opposed the prayer for regular bail, made by the petitioner.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the parity of the case of the petitioner with that of the co-accused persons who have already been granted bail by this Court vide orders dated 26.08.2021 and 12.01.2021 passed in Cr. Misc. No. 30275 of 2020 and Cr. Misc. No. 25481 of 2020 respectively, I deem it fit and proper to direct for release of the petitioner on regular bail.



Accordingly, the petitioner, above named, is directed to be released on regular bail on furnishing bail-bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Danapur in connection with Shahpur P.S. Case No. 114 of 2019.

(Mohit Kumar Shah, J)

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