

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37505 of 2021**

Arising Out of PS. Case No.-596 Year-2019 Thana- MADHAURAH District- Saran

Anil Giri Son of Mahesh Giri Resident of Village- Bhawalpur, Police Station-
Marhowrah, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. P.K.Shahi, Sr.Adv. Mr.Ram Binod Singh
For the Opposite Party/s :		Mr.Tarun Pd. Mandal

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2. 21-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Marhowrah P.S. Case No. 596 of 2019, registered for the offence under Sections 147/148/149/323/325/326/379/332/333/307/302/504/120(B) of the Indian Penal Code and Section 25(1-b)a/26/35/27 of the Arms Act.

It is submitted on behalf of petitioner that petitioner is not named in the FIR. Name of the petitioner has surfaced during course of investigation in the confessional statement of co-accused Manoranjan Singh @ Bholu Mukhiya and Abhishek Raj @ Abhishek Singh and both these co-accused persons have already been granted bail by this Hon'ble Court. Other similarly



situated co-accused persons have also been granted bail by this Court, vide orders annexed at Annexure 3 series and Annexure 5 series respectively. No incriminating article has been recovered from the possession of the petitioner. It is further submitted that though, the petitioner has been made accused on the basis of confessional statement of co-accused persons, but they have not disclosed any overt act against the petitioner. In paragraph – 3 of the petition, it is stated that though, petitioner is accused in seven more cases, but out of which, in three cases, petitioner has been acquitted and in three cases, he is on bail. Petitioner is in custody since 30.08.2019.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances as well as period of custody and the fact that similarly situated co-accused persons have already been granted bail, the bail petition of petitioner is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra in connection with Marhowrah P.S. Case No. 596 of 2019, on the following conditions:



“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

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

(Prabhat Kumar Singh, J.)

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