

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36216 of 2020

Arising Out of PS. Case No.-112 Year-2020 Thana- BHAGWANPUR District- Vaishali

MANOJ SINGH, aged about 48 years, Son of Rajdeo Singh, resident of
Village- Harpur Kasturi P.S. Bhagwanpur, District-Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Nividita Nirvikar with Mr.Mukesh Kumar Singh
For the Opposite Party/s :		Ms.Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

7 26-03-2021 Heard learned counsel for the parties.

This application for grant of regular bail arises out of Bhagwanpur P.S. Case No. 112 of 2020, disclosing offences punishable under Sections 341,387,302/34 of the Indian Penal Code and Section 27 of the Arms Act.

From the First Information Report, it transpires that allegedly certain dispute had arisen in respect of the construction of a village road. The petitioner is admittedly father of co-accused Karam Veer Kumar. Allegedly, the deceased was chased by the persons named in the First Information Report. There is allegation against co-accused Karam Veer Kumar of having shot at the deceased, who sustained fire arm injury in his chest and subsequently succumbed to such injury.



Learned counsel for the petitioner has argued that the petitioner has been made accused because of his relationship with the main accused, who is said to have shot dead the deceased. She has submitted that there is no allegation against the petitioner of any assault.

Learned Additional Public Prosecutor, appearing on behalf of the State has not been able to point out on the basis of evidence collected by the police during the course of investigation as available in the case diary that there is any allegation against the petitioner of making assault, though there is material to support that he had also chased the deceased.

Be that as it may, considering the submission that the petitioner is in custody since 23.05.2020 and there is no specific allegation of assault against him, this application is allowed.

Let the petitioner above-named 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 the learned ACJM-I, Vaishali at Hajipur in Bhagwanpur P.S. Case No. 112 of 2020.

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(Chakradhari Sharan Singh, J)

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