

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2900 of 2021

Arising Out of PS. Case No.-7 Year-2011 Thana- BIKRAM District- Patna

Manish Kumar Mani Son of Sri Satyanarayan Sharma Resident of Village-
Shahjahanpur, P.S.- Bikaram, Distt- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ramakant Sharma, Sr. Advocate
		Mr. Anuj Kumar
For the Opposite Party/s :		Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 15-04-2021 This matter is taken up for consideration through
Video Conferencing.

Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of bail in a case
registered for the offence punishable under sections 302, 396,
120B/34 of the Indian Penal Code and section 27 of the Arms
Act.

As per prosecution case, on 10.01.2011 at 110.30 P.M
while informant was sleeping in her house and her servant was
sleeping in a room outside the house, her servant called her to
open the door and when the door was opened, three named
accused along with 10/12 unknown persons armed with gun
entered into her house and on the point of pistol looted cash,



gold and other items of the informant. It is further alleged that during course of occurrence, accused persons tried to commit rape upon her and when the servant of informant protested, they dragged him towards drawing room and shot at him as a result of which he died on the spot. Thereafter accused persons fled away with the articles. Reason behind the occurrence is that the accused persons had tried to commit murder of her husband and father-in-law in which her brother died and due to this reason, present occurrence has taken place.

Learned counsel for the petitioner submits that the petitioner is not named in the FIR. During investigation, his name surfaced on the confessional statement of co-accused Ram Ratan Yadav and Nikki Devi, the informant. He further submits that on the said confessional statement, police arrested the petitioner. He also submits that other co-accused persons have already been granted bail by this Court vide Cr. Misc. no. 38464 of 2011 and Cr. Misc. no. 11611 of 2012. Petitioner is in jail custody since 18.01.2020.

Considering the aforesaid facts and circumstances as well as submissions of the parties that co-accused persons including co-accused Ram Ratan Yadav and Nikki Devi, whose confessional statement petitioner has been arrested, have been granted bail by this Hon'ble Court, let the petitioner be released



on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Addl. District Judge I, Danapur in Bikram P.S. Case no. 07/2011 on the following conditions.

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled 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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