

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2223 of 2021

Arising Out of PS. Case No.-745 Year-2019 Thana- DEHRI TOWN District- Rohtas

MANISH KUMAR @ MANISH KUMAR SINGH SON OF SRI HIRA
SINGH RESIDENT OF VILLAGE-KATAR, POLICE STATION-
INDRAPURI, DISTRICT- ROHTAS

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Advocate.

Mr. Saket Tiwary, Advocate

For the State

: Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 25-05-2021

In view of sudden resurgence of COVID – 19 infection there has been imposition of lockdown for the last couple of weeks. There is limited functioning of the High Court and therefore the matter has been listed for consideration through virtual mode.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon to do so by the office.

Heard learned counsel for the petitioner and the learned counsel for the informant as well as learned APP for the State.

The petitioner seeks bail in Dehri (Indrapuri) P. S. Case No. 745 of 2019 registered for the offence under Sections 25(1-b)a, 26, 27 and 35 of the Arms Act.

During investigation into murder of one Dhananjay Yadav, wherein co-accused Hira Singh and the petitioner are accused, the police have received information that several ammunitions are kept at the Dharam Kanta of co-accused Hira Singh who happens to be father of the petitioner. From the said place live ammunitions and used cartridges etc. have been recovered in large quantity.

Learned senior counsel for the petitioner submits that the FIR itself reveals that police have preceded to a premises owned by co-accused Hira Singh. The petitioner's implication is merely because he happens to be son of Hira Singh. Submission is that several of the recovered articles have been claimed by the respective



licensee. The court has released it in their favour. Father of the petitioner, namely Hira Singh, was allowed bail on 26.11.2019 after his arrest on 18.11.2019. The petitioner is in custody in this case since 04.01.2020. There are two criminal antecedents against the petitioner as per details mentioned in Para 3 of the petition.

Learned APP has opposed the prayer for bail.

Considering the rival submissions this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, 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 SDJM, Rohtas, in connection with Dehri (Indrapuri) PS. Case No. 745 of 2019, subject to the following conditions:-

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.
- (ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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