

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.6471 of 2021**

Arising Out of PS. Case No.-561 Year-2019 Thana- DANAPUR District- Patna

MD. MANAUWAR ALAM @ MD. MANAUWAR S/O MD. MUMTAZ  
ALAM R/O VILLAGE-MURGIYA CHAK, PS JANIPUR VIA  
PHULWARISHARIF, DISTRICT PATNA, 801505

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Dhananjay Prasad  
For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

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

6      23-08-2021                      Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 302 and some other ancillary Sections of the Indian Penal Code and u/s 25(1-b)a, 26 of the Arms Act.

As per the prosecution case, the petitioner is alleged to have supplied fire arm, which was used in the crime.

Learned counsel appearing for the petitioner submits that petitioner is not named in the FIR. The name of petitioner has come in the case during the course of investigation in the confessional statement of co-accused, Reshma Kumari, which has got no evidentiary value in the eye of law. Save and except confessional statement, there is no other material against this



petitioner. No Test Identification Parade has been done till date. It is further submitted that trial is in progress and four witnesses have been examined but none of them named this petitioner and similarly situated accused, Vijay Kumar, who is alleged to have supplied ammunition, has already been granted bail by a co-ordinate Bench of this court vide order dated 20.03.2020 passed in Cr. Misc. No. 87138 of 2019. Petitioner is in custody since 12.07.2019.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioner, 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 Additional Sessions Judge-II, Danapur, Patna in connection with Danapur PS case No. 561/2019 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 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)**

BKS/-

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