

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9508 of 2021

Arising Out of PS. Case No.-43 Year-2020 Thana- NAUGACHIA District- Bhagalpur

MANISH SINGH Son of Sitaram Singh Resident of Village- Pachgachhiya,
P.S.- Gopalpur, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha, Adv.

For the Opposite Party/s : Mr. Anuj Kr. Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 21-09-2021 Heard the parties through virtual court proceedings.

Learned counsel for the petitioner undertakes to remove the defects within three weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in a case registered for the offence punishable under Sections 364, 120(B)/34 of the Indian Penal Code but later on Section 302 of the I.P.C. and Section 27 of the Arms Act has also been added.

Allegation against the petitioner is that he along with one Sukesh Sharma have abducted the husband of the informant for committing murder and have thrown his dead body.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this



case. He submits that petitioner has been made accused in the present case on the confessional statement of co-accused Sukesh Sharma. Nothing has been recovered from the conscious possession of the petitioner, there is no eye witness in the present case and only on the basis of confessional statement of co-accused, petitioner has been made accused. He submits that co-accused Sukesh Sharma on whose confessional statement the name of the petitioner has been surfaced in the instant case has already been granted bail by the learned court below itself. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application and he is languishing in judicial custody since 07.02.2021.

However, learned APP for the State opposes the prayer for bail and submits that the petitioner was last scene with the victim and thereafter another co-accused has disclosed his involvement in the offence alleged ultimately leading to the discovery of the bullet ridden dead body of the victim.

Considering the facts and circumstances of the case and the fact that there is no specific allegation against the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of



the learned court below/successor court where the case is pending in connection with Naugachia P.S. Case No. 43 of 2020.

(Anjani Kumar Sharan, J)

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