

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9947 of 2022

Arising Out of PS. Case No.-66 Year-2021 Thana- NTPC KHAIRA District- Aurangabad

Manoj Singh Son of Late Kamta Singh Resident of Village- Kadokhari
(Kadhori), P.S.- N.T.P.C. Khaira, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramendra Kumar Singh
For the Opposite Party/s : Mr. Mukeshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 09-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within two weeks
of the complete start of the physical Court in normal course.

The petitioner seeks bail in connection with N.T.P.C.
Khaira P.S. Case No. 66 of 2021 registered for the offence under
Sections 147, 148, 149, 341, 323, 325, 504 and 307 of the
Indian Penal Code and Section 27 of the Arms Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 24.11.2021.

The allegation against the accused/petitioner is to
assault the brother of the informant with fire arm causing injury.

Learned counsel appearing on behalf of the petitioner
submitted that from bare perusal of the F.I.R., it appears that



attempt, with the fire arm, was made on the informant, but accidentally the bullet hit the brother of the informant and as such it can be gathered safely that petitioner was not under intention to kill the injured. While arguing over the matter, it has further been submitted that both the parties are in inimical terms due to election dispute. It has further been submitted that chargesheet has already been submitted in this case, as such there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State while opposing the prayer for bail fairly conceded that as per F.I.R., the man who received fire arm injury was not the man of target.

Considering the facts and circumstances as mentioned above, as fire was not made intentionally upon the injured, let the petitioner, above named, is directed to be released on bail in connection with N.T.P.C. Khaira P.S. Case No. 66 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad, subject to the following conditions:

“(i) That accused/petitioner shall
not involve in the similar nature of offence
till the conclusion of trial, failing the State



shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) Accused/Petitioner shall cooperate in the trial and shall be properly represented on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court only on medical ground duly supported by the documents.

(iii) That one of the bailors shall be the close relative of the accused/ petitioner like mother/father/sister/brother.”

(Chandra Shekhar Jha, J)

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