

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13188 of 2022

Arising Out of PS. Case No.-143 Year-2020 Thana- PUNAURA District- Sitamarhi

Manish Kumar Son of Sheo Ratan Ray Resident of Village - Nimahi, P.S.-
Bajpatti, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Virendra Kumar, Advocate

For the Opposite Party/s : Mr. Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

4 12-10-2022 Heard learned counsel for the petitioner and learned A.P.P
for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks from today.

The petitioner seeks bail in connection with a case
registered for the offences punishable under Section 307 of the
Indian Penal Code and Section 27 of the Arms Act.

Allegation against the petitioner is of firing upon the
informant by pistol due to which, he received firearm injury on
his left cheek, forearms of right hand, left hand and back of
body. The informant attempted to snatch the pistol but not
succeeded and fell down thereafter, the petitioner fled away.

Learned Counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. It is submitted that the petitioner was neither apprehended on the spot nor his belongings have been recovered from the place of occurrence. Further, it is submitted that the informant has received injuries caused by someone else in course of snatching money from him and earlier in the year 2018, the daughter of the informant, namely, Sanjana Kumari @ Khusbhu Kumari, left the house with petitioner and performed marriage whereupon two children were born, one died and after two years, on 04.07.2020, she returned to her parental house, therefore, informant and his family members are annoyed with petitioner and implicating him in this case. It is also submitted that earlier the petitioner was also implicated and made accused in Sitamarhi P.S. Case No. 739 of 2018 dated 23.07.2018, registered under Sections 363 and 366(A)/34 of the Indian Penal Code by the wife of present informant, in which Section 376 of Indian Penal Code and 4/6 of POCSO Act was added subsequently *vide* order dated 17.06.2021. It is further submitted that the alleged date of occurrence was 11.10.2020 and F.I.R. was lodged on 15.10.2020 and no plausible explanation with regard to delay has been given in the F.I.R. Further, it is submitted that the petitioner is in custody since 25.11.2021, and



charge-sheet has been submitted in the case and has criminal antecedent of one case.

Learned A.P.P for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of this case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) only with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi/ Concerned Court in connection with Punaura P.S. Case No. 143 of 2020.

(Khatim Reza, J)

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