

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17117 of 2022

Arising Out of PS. Case No.-139 Year-2021 Thana- UDWANTNAGAR District- Bhojpur

MANTOSH KUMAR Son of Sri Bagha Singh Resident of Village - Asani,
P.s.- Udwantnagar, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Shivam Mr. Ajay Kumar Thakur Ms. Vaishnavi Singh Adv
For the Opposite Party/s :		Mr.Umesh Lal Verma
For the Informant	:	Mr. Shiv Prasad Gupta Adv.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 25-07-2022 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has preferred this application for grant of regular bail in a case registered under Sections 147, 149, 323, 307, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act. Later on, Section 302 of the I.P.C. was also added.

It is alleged that the petitioner and co-accused persons holding lathi and rifle came and started assaulting and abusing the informant. The co-accused, Chunnu Kumar fired at the



informant which hit on the left leg of his son, Ankush Kumar, who died during the course of treatment.

Learned counsel for the petitioner has submitted that the petitioner is innocent and he has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner is accused in five other criminal cases as stated at para 3 of the bail petition. The petitioner is in custody since 10.01.2022. Learned counsel for the petitioner has further submitted that the Post-mortem report shows that the cause of death is due to shock Haemorrhage, Septicemia and Firearm injury. The main allegation of firing is against the co-accused, Chunnu Kumar.

Learned A.P.P. for the State has opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances, the petitioner above-named, is directed to be enlarged on bail on his 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, Bhojpur at Ara, in connection with Udwantnagar P.S. Case No. 139 of 2021, with a condition:-

1. The petitioner is directed to remain physically present before the learned Court below on each and every date,



failing which on two consecutive occasions without reasonable cause, the bail bond of the petitioner is liable to be cancelled by the Court concerned.

The application stands allowed.

(Chandra Prakash Singh, J)

shobhakri/-

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