

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18449 of 2022

Arising Out of PS. Case No.-158 Year-2021 Thana- SARSI District- Purnia

Manjeet Singh Son Of Sri Krishna Nand Singh @ Krishnand Singh R/O
Village And P.S.- Sarsi, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivam, Advocate
For the Opposite Party/s : Mr. Rajiv Nayan. APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 19-09-2022 Heard learned counsel for the petitioner and learned
counsel for the informant as well as learned Additional Public
Prosecutor for the State.

Let the defects, as pointed out by the office, be
removed within a period of four weeks from today.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 302, 120(B) of the Indian
Penal Code and Section 27 of the Arms Act.

According to prosecution case, in brief is that one
Anulika Singh lodged written report to the Sarsi police station
stating therein that she is presently a Member of Ward No. 10 of
Zila Parishad. On 12.11.2021 she was standing at a Tea Stall of
Sanjay Sah at Sarsi Chowk. She saw Ashish Singh @ Athiya
came running from Bank side armed with pistol and came near



her husband and fired on his head as a result of which her husband became injured and fell down. Again on the order of Sudesh Singh he came and fired twice. At that time two unknown persons were also with him. Apart from them several other persons have seen the said occurrence. Her husband died on the place of occurrence and after firing they all fled away.

Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that in fact the petitioner is not named in the F.I.R. and the name of the petitioner has been transpired during investigation and only on the basis of suspicion the petitioner has been implicated in the present case. He further submits that the petitioner is neither the order giver nor he fired upon the deceased and it has come during investigation that the petitioner was seen before the time of occurrence. He further submits that except the aforesaid, no cogent material has come during investigation against the petitioner and the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 02.12.2021.

The learned counsel for the Informant as well as learned Additional Public Prosecutor have vehemently opposed



the prayer for bail of the petitioner on the ground that petitioner carries eight criminal antecedents other than the present one.

Considering the aforesaid facts and circumstances, 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 the learned Court below where the case is pending in connection with Sarsi P.S. Case No. 158 of 2021, subject to 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 absence on two consecutive dates without sufficient reason, his 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.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the



court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Mdrashid/
Vanisha

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