

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23519 of 2022

Arising Out of PS. Case No.-69 Year-2021 Thana- NIMACHANDPURA District- Begusarai

Manjit Kumar Singh @ Mithu Singh @ Manjit Singh Son Of Late Shambhu Singh Resident Of Village - Neemachandpur, P.S.- Neemchandpura, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 09-09-2022 This matter has been taken-up through video conference.

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 form today.

The petitioner seeks bail in connection with a case
registered for the offences punishable under Sections 147, 148,
149, 452 and 307 of the Indian Penal Code and 27 of the Arms
Act.

As per the prosecution's case, the accused persons including
the petitioner went to the informant's house and started open firing
towards the doors and windows of the informant's house due to
which, informant's daughter sustained firearm injury on her thigh.

Learned Counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. It is further submitted that the present case is filed only to create defence as informant's son, namely, Sonu Singh along with five other persons open indiscriminate fire upon the Milk Shop of Kanhaiya Singh, due to which, the informant's daughter was sustained firearm injury on her thigh and the petitioner's brother namely Sandeep Kumar was also sustained firearm injury and for this occurrence, petitioner's mother Vibha Devi has filed a case prior to the present case in connection with Nimachandpura P.S. Case No. 68 of 2021. Further, it is submitted that the co-accused, namely, Deepak Kumar has been granted bail by this Court *vide* order dated 18.08.2022 passed in Criminal Miscellaneous No. 20303 of 2022 and another co-accused, namely, Ravikant Kumar has also been granted bail *vide* order dated 11.07.2022 passed in Criminal Miscellaneous No. 13693 of 2022. Further, it is submitted that the petitioner is in custody since 31.01.2022, charge-sheet has been submitted in the case and has antecedent of two cases.

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 Additional Chief Judicial Magistrate III, Begusarai in connection with Nimachandpura P.S. Case No. 69 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. 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.

(Khatim Reza, J)

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