

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30516 of 2022**

Arising Out of PS. Case No.-106 Year-2021 Thana- RANIGANJ District- Araria

MANI BHUSHAN SINGH @ RUPESH SINGH Son of Ramesh Singh @
Ramesh Narayan Singh Resident of Village - Pithoura, P.S.- Narpatganj,
Distt.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mr.Ganesh Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 25-08-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

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

Petitioner seek bail in a case registered for the offence punishable under Section 392 of the Indian Penal Code and Section 25(1-b)a, 26,27 of the Arms Act.

The allegation is regarding altercation having taken place in between unknown miscreants and the Nozzle man of the petrol pump on account of certain disputes having taken place regarding payment of the price of the petrol, which the miscreants had got filled in their motorcycle. It is also alleged



that one of the miscreants had fired, however, the same did not hit anyone.

Learned counsel appearing for the petitioner submits that in fact the petitioner is not named in the FIR. The name of the petitioner has been transpired only on the basis of the confessional statement of co-accused, namely, Janu @ Ritikesh Singh. He further submits that nothing has been recovered from conscious possession or the house of the petitioner and till date no TIP has been conducted by the prosecution and no case under the Arms Act is made out against the petitioner and similarly situated co-accused persons, namely, Sannee Kumar and Priyuanshu Kumar Mandal @ Priyanshu Kumar Mandal @ Priyanshu Kumar have been granted bail by a Coordinate Bench of this Hon'ble Court vide order dated 28.02.2022 in Cr. Misc. No. 46708 of 2021 and the petitioner is in custody since 28.02.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries three more cases other than the present one.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties



of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Raniganj P.S. Case No.106 of 2021, with 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/her absence on two consecutive dates without sufficient reason, his/her 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.

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)

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