

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41750 of 2021

Arising Out of PS. Case No.-430 Year-2013 Thana- BIHTA District- Patna

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MANOJ KUMAR SINGH @ MANOJ KUMAR Son of Narmadeshwar Singh
Resident of Village - Kanchanpur, P.S.- Bihat, Distt.- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arun Kumar Pandey
For the Opposite Party/s : Mr.Nityanand

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 25-03-2022 Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under sections 302/34 of the Indian Penal Code.

As per the prosecution case, petitioner and co-accused Sonu Singh and other 5 to 6 unknown miscreants entered into the house of the informant and assaulted his son causing his death.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case as no such occurrence took place. Furthermore, there is general and omnibus allegation of assault against all the accused persons and no specific overt act has been alleged against the petitioner. It is also the case of the petitioner that



8 to 10 persons assaulted the deceased but post mortem report reveals that the deceased had sustained only one injury besides one or two abrasions. Similarly situated co-accused Gabardhan Singh has already been allowed bail by a co-ordinate bench of this Court vide order dated 22.5.2014, passed in Cr.Misc.No. 11327/2014. He is in custody since 29.1.2021.

Considering the period of custody of the petitioner and the fact that similarly situated co-accused has already been allowed bail by a co-ordinate bench of this Court, prayer for bail of the petitioner is allowed. Let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Danapur Patna in Bihta Police Station Case No. 430/2013.

(Prabhat Kumar Singh, J)

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