

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41730 of 2021

Arising Out of PS. Case No.-94 Year-2020 Thana- BAKHTIYARPUR District- Patna

MANTA YADAV @ MANTU KUMAR @ MANTA Son of Banbari Rai
Resident of Champapur, P.S.- Bakhtiyarpur, District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Kumar, Advocate.

For the Opposite Party/s : Mr.Braj Kishore Pd., APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 21-01-2022 Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioner, who is in custody since 21.01.2021,
seeks regular bail in connection with Bakhtiyarpur P.S. Case No.
94 of 2020 for the offence punishable under Sections 147, 148,
149, 326, 307 and 120B of the Indian Penal Code and Section
27 of the Arms Act.

The prosecution case, in brief, is that while the
informant along with his brother was sitting at his door of the
house, all the accused persons having armed with pistols came
there. It is further alleged that the accused persons started firing



and in the said firing, the brother of the informant sustained fire arm injury.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and he has falsely been implicated in this case. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is in custody since 21.01.2021. Charge sheet / prosecution report in this case has already been submitted. General and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. At best, the petitioner is said to be member of the unlawful assembly. It is further submitted that co-accused namely Suraj Ray and Karu Ray have been granted bail by a co-ordinate Bench of this Court vide order dated 23.11.2020 passed in Cr. Misc. No. 30853 of 2020.

Learned A.P.P. for the State has opposed the prayer for bail.

Considering the aforementioned facts and circumstances of the case, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge-III, Patna in connection with Bakhtiyarpur P.S.



Case No. 94 of 2020, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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