

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33835 of 2022

Arising Out of PS. Case No.-371 Year-2020 Thana- KHAIRA District- Saran

Mani Bhushan Singh Son of Vijay Narayan Singh Resident of Village -
Chetan Chhapra, P.s.- Baniapur, Distt.- Saran (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shatrughan Pandey, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 21-12-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Khaira
P.S. Case No. 371 of 2020 registered for the offence under
Sections 341, 323, 307, 504, 506 and 34 of the Indian Penal
Code read with under Section 27 of the Arms Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 11.04.2022.

The allegation against the petitioner is to open fire
upon the informant alongwith other co-accused persons, while
he was going to Chapra. It is further alleged that informant
received fire arm injuries on the left side of his waist.



Learned counsel appearing on behalf of the petitioner submitted that the specific allegation of firing is available against co-accused, namely, Aditya Vinayak@Harshit Kumar, whereas the allegation against this petitioner is very much general and omnibus, as to stand near-by the place of occurrence. It is pointed out that petitioner named in present case only for the suspicion arises out of his criminal antecedents, as he found involved in 14 more criminal cases, where after trial he has already been acquitted in 7 cases and in rest of the 7 cases, he is on bail. It is also pointed out that similarly situated co-accused person, namely, Mukul Kumar Mishra has already been granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 13801 of 2022 vide order dated 13.07.2022. While concluding the argument, it has been submitted that investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as specific allegation of firing is available against co-accused Aditya Vinayak@Harshit Kumar not against this petitioner, who is in custody since 11.04.2022 coupled with the



fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Khaira P.S. Case No. 371 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Chapra (Saran)/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

pooja/-

U		T	
---	--	---	--

