

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44999 of 2021

Arising Out of PS. Case No.-204 Year-2018 Thana- PURAINI District- Madhepura

MD. MANOUBAR @ MD. MANOWAR @ MANOWAR MIAN @ MD.
MANOWAR MIAN S/O MD. YAKUB @ MD. YAKUB MIAN R/o village-
Sapardah, Kelawari, P.S.- Puraini, District- Madhepura

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Advocate

For the Opposite Party/s : Mr. Anand Mohan Pd. Mehta, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 02-03-2022

Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections, 363, 366, 307, 324 and 34 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, the accused persons made an attempt to kidnap the daughter of the informant and in course of the occurrence of kidnapping it is stated that firing was carried out by the accused Subhash Thakur, Munna Miya and Pawan Mandal leading to injuries to the members of the family of the informant.

It is submitted by learned counsel for the petitioner that the earlier application for bail of the petitioner was rejected



vide order dated 27.11.2020 passed in Cr. Misc. no. 20508 of 2020. The petitioner is not named in the FIR. The direct allegation of firing is against Subhash Thakur, Munna Miya and Pawan Mandal who all have been enlarged on bail vide orders which have been brought on record as Annexure-5 to this petition. The name of the petitioner transpired in course of investigation in the statement of the victim under section 164 Cr.P.C.. Even accepting the statement contained therein, the allegations are general and omnibus in nature. The petitioner is in custody since 2.2.2020. He undertakes to cooperate in the trial.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, grant of bail to the above mentioned FIR named co-accused together with the petitioner having remained in custody for two years, the petitioner is directed to be enlarged on bail in connection with Puraini P.S. Case no. 204 of 2018 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge VI, Madhepura.

It is further directed that the petitioner shall cooperate



in the trial and and remain properly represented on each date. In case the learned trial Court is of the opinion that the trial is being delayed due to non-cooperation on part of the petitioner, the learned trial Court may cancel the bail bond of the petitioner and take him into custody till conclusion of the trial.

(Partha Sarthy, J)

Spd/-

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