

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46344 of 2021**

Arising Out of PS. Case No.-101 Year-2020 Thana- MANIYARI District- Muzaffarpur

VIKASH KUMAR @ MAHANTA S/o BIRENDRA KISHORE SINGH @
TANTAN SINGH R/o VILLAGE-BALRA KISHUN, P.S-MANIYARI,
DISTRICT-MUZAFFARPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Niranjan Parihar, Advocate.

For the Opposite Party/s : Mr. Suman Kumari Singh, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

3 22-03-2022 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

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

The petitioner seeks regular bail in connection with
Maniyari P.S. Case No. 101 of 2020 for the offence punishable
under Sections 337, 332, 333, 353, 427 and 506/34 of the Indian
Penal Code.

The prosecution case, in brief, is that while the
Maniyari P.S.I cum Officer-in-Charge reached the house of



Birendra Kumar Singh @ Tantan Singh to arrest the petitioner, all the persons named in the F.I.R. attacked the police force to which they sustained injury.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and he has falsely been implicated in this case. He further submits that there is general and omnibus allegation against the petitioner. Petitioner is named in altogether nine cases in which he has already been released on bail. In the present case, he has been made accused due to enmity with the police. The injury sustained by the victim is simple in nature. Petitioner is in custody since 24.02.2021.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner.

Considering the nature of allegation made in the F.I.R., no overt act has been committed by the petitioner, however other co-accused have interfered and in course of the same, the police officer has sustained injury, 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 Judicial Magistrate 1st Class, Muzaffarpur in connection with Maniyari P.S. Case No. 101 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.

(5) The court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically loose its force.

(6) The petitioner will make his attendance before the concerned police station under which his house is located every week at 8 AM on Saturday till conclusion of the trial and on any single default without any valid reasons on the part of the petitioner, his bail bonds shall be cancelled and



**the concerned SHO of the police station shall submit his
monthly attendance report to the Superintendent of Police
having jurisdiction.**

(Purnendu Singh, J)

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