

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51232 of 2021

Arising Out of PS. Case No.-555 Year-2018 Thana- KOTWALI District- Munger

MANOJ KUMAR SINGH S/o Uday Kumar Singh Resident of Village-
Bindwara, P.S.- Kasim Bazar, District- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhat Ranjan Singh, Advocate
For the Opposite Party/s : Mr. Khursid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 30-03-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 121, 379, 414 and 120B of the Indian Penal Code, sections 25(1-A), 25(1-1/1), 25(1-B)(a), 26 and 35 of the Arms Act and section 39 of the U.A.P Act.

As per the prosecution case, on information having been received about the involvement of one Md Imran in the sale and purchase of AK 47 rifles, it is stated that a team was constituted and a raid conducted. Three accused namely, Md. Irshad Ahmad, Md. Tausif Imam and Satyam Kumar Yadav were arrested. Md. Irshad disclosed about the involvement of his niece's husband namely Md. Imran in the trade of AK 47.

It is submitted by learned counsel for the petitioner



that the petitioner is not named in the FIR. The name of the petitioner transpired in the confessional statement of the FIR named co-accused Md. Imran made before police. No incriminating article has been recovered from the petitioner's possession. Accepting the allegations/confession of the co-accused, the petitioner is said to have arranged a meeting between the seller and the purchaser for which he received Rs. 10,000/-. Learned counsel submits that the allegation is absolutely false and inadmissible. Further the case of the petitioner stands on a better footing to that of FIR named co-accused Satyam Kumar Yadav and Md. Tausif Imam who have been enlarged on bail vide order dated 28.6.2019 passed in Cr. Misc. no. 39864 of 2019 and order dated 20.6.2019 passed in Cr. Misc. no. 30912 of 2019. Learned counsel for the petitioner submits that the petitioner is in custody since 13.12.2019 and charge sheet has been submitted in the case.

The application for bail is opposed by learned APP for the State who submits that the allegations against the petitioner are very serious. Further he refers to the material that has transpired in course of investigation and referring to paragraph 3 of the supplementary case diary he submits that the petitioner was remanded in the case on 13.12.2019.



Having heard learned counsel for the parties and taking into consideration the facts of the case, the material that has transpired in course of investigation together with grant of bail to the above two FIR named co-accused Satyam Kumar Yadav and Md. Tausif Imam together with charge sheet having been submitted, the Court directs the petitioner to be enlarged on bail in connection with Kotwali (Purab Sarai) P.S. Case no. 555 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 1st, Munger.

(Partha Sarthy, J)

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