

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61460 of 2021**

Arising Out of PS. Case No.-330 Year-2021 Thana- JAMUI District- Jamui

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Mannu Modi @ Abhimanyu Kumar Son Of Raj Kumar Barnwal Resident of
Village- Nimarang, Jamui, P.S.- Jamui, District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Sinha

For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 18-04-2022 Let the defects, if any, be removed within four
weeks from today.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered in connection
with Jamui P.S.Case No. 330 of 2021 for the offences
punishable under Sections 302/34 of the Indian Penal Code.

As per the prosecution case, it is alleged that all the
F.I.R named accused persons including this petitioner and 10 to
15 other persons variously armed, surrounded the son of the
informant and brutally assaulted him. Co-accused Tuntun Yadav
@ Tiger and others started indiscriminate firing due to which his
son succumbed to injury. Thereafter, all the accused including
this petitioner fled away from the place of occurrence.



It is submitted on behalf of the learned counsel for the petitioner that there is general and omnibus allegation against all the accused persons and specific allegation is against co-accused Tuntun Yadav @ Tiger. It is further submitted that the police has prepared inquest report and found only one injury. Further the post mortem of the deceased was also conducted by the medical officer Sadar Hospital , Jamui but the same also does not corroborate the prosecution case. There was one firearm injury found on the body of the deceased. It is next submitted that co-accused Karan Sah @ Karan Kumar has been granted bail by this Court in Cr. Misc. No. 58475 of 2021 vide order dated 07.04.2022. The copy of the order has been kept on record. It is lastly submitted that petitioner is in custody since 12.08.2021 having no criminal antecedent. Moreover, the investigation has already concluded.

The learned A.P.P opposed the prayer for bail of the petitioner and submits that all the accused persons are found involved in the present occurrence.

Having heard the rival contentions of the parties and taking into consideration the fact that there is general and omnibus allegation against all the accused persons and 10 to 15 other persons and only one injury has been found on the person



of the deceased. Petitioner is having clean antecedent and is in custody since 12.08.2021, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jamui in connection with Jamui P.S.Case No. 330 of 2021, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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