

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68210 of 2021**

Arising Out of PS. Case No.-89 Year-2021 Thana- DEHRI TOWN District- Rohtas

Manish Kumar @ Manish Singh Son of Anil Singh Resident of Village-
Bheria, Police Station - Dehri, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

3 11-07-2022 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 Dehri (T)
P.S. Case No. 89 of 2021 registered for the offence under
Sections 147, 148, 149, 341, 323, 379, 307, 504 and 506 of the
Indian Penal Code and 27 of the Arms Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 01.10.2021.

The allegation against the petitioner is to assault the
informant/injured with iron rod having intention to cause death
along with other co-accused person.

Learned counsel appearing on behalf of the petitioner



submitted that present occurrence is found over land dispute pending between the parties. It has further been submitted only a single assault was made upon injured/informant by the petitioner, without having any intervening circumstances, negating the intention to cause death. This fact is also corroborated with number of injury as found upon the injured/informant. It has further been submitted the petitioner is a man of clean antecedent, moreover, investigation has been completed, for which, charge-sheet has already been submitted in this case, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded the fact that the occurrence is in the background of land disputes.

Considering the facts and circumstances as mentioned above, as the allegation of assault is not repeated on the part of petitioner, without having any intervening circumstances, negating the intention to cause death, who is a man of clean antecedent coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Dehri (T) P.S. Case No. 89 of 2021 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 Ist Class Dehri-on-sone, Rohtas, subject to the following conditions:

“(i) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(ii) That one of the bailors shall be Vivekanand Singh, who is the maternal uncle(Mama) of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

S.Katyayan/
R.S.Sen/-

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