

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38600 of 2023

Arising Out of PS. Case No.-183 Year-2022 Thana- MARANCHI District- Patna

Manlagu Singh @ Lalit Vijay Singh Son Of Late Garib Singh R/O Village -
Marachi, Pratappur Tola, P.S.- Marachi, District – Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 19-07-2023 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with
Marachi P.S. Case No. 183 of 2022 registered for the offence
under Sections 436, 379, 504, 506 and 34 of the Indian Penal
Code.

3. The accused/petitioner is named in the F.I.R. and is
in custody since 13.01.2023.

4. The allegation against the petitioner is to commit
mischief by putting animal shed of informant on fire and also to



commit theft and while committing so taken away 5-6 pieces of asbestos sheets.

5. Learned counsel appearing on behalf of the petitioner submitted that informant is not the eye-witness of the occurrence and entire implication is based upon suspicion as prior to this occurrence petitioner alleged to threaten the informant to face dire consequences. It is further submitted that save and except suspicion nothing appears incriminating during the course of investigation to connect this petitioner, *prima facie*, with the present occurrence. While concluding the argument, it is submitted petitioner found involved in 8 more criminal cases, where in 6 cases he is on bail and in 1 case he has been acquitted and moreover investigation of this case has been completed, for which, charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP appearing on behalf of the State, opposes the prayer for bail.

7. In view of the facts and circumstances as mentioned above and by taking note of the fact as informant is not the eye-witness of the occurrence, where entire implication appears on the basis of suspicion coupled with the fact that charge-sheet has already submitted, where petitioner is in



custody since 13.01.2023, accordingly petitioner, above named, is directed to be released on bail in connection with Marachi P.S. Case No. 183 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Barh, Patna/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C. with further conditions :-

(i) That petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing which, the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) 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.

(iii) That one of the bailors
shall be deponent of the present bail
petition.

(Chandra Shekhar Jha, J)

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