

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39877 of 2023**

Arising Out of PS. Case No.-72 Year-2022 Thana- SAHEBGANJ District- Muzaffarpur

MANISH KUMAR S/O RAMA SINGH R/O Village- Bairiya, PS. Sahebganj,
Dist. Muzaffarpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Rabindra Kumar Tiwary, Adv.
For the Opposite Party/s :	Mr.Md. Ataur Rahman, APP
For the informant	Mr. Priyesh Kumar, Adv.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

- 3 24-07-2023
1. Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.
 2. Heard learned counsel for the petitioner and learned A.P.P. for the State.
 3. The petitioner has preferred this application for grant of regular bail in connection with Sahebganj P.S. Case No. 72 of 2022 dated 3.3.2022 registered for the offence punishable u/s 147, 148, 149, 302/120(B) of the Indian Penal Code and u/s 2(1-b)a, 26, 35 and 27 of the Arms Act.
 4. As per the prosecution case, when the informant along with his father and others were fishing in the pond then the accused persons variously armed came to the pond and



started firing indiscriminately due to which they sustained injuries and they were brought to hospital where two of them were found dead.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation of firing against the petitioner . Nothing incriminating material has been recovered from the conscious possession of the petitioner. There is no specific allegation of assault against the petitioner. The co-accused persons have already been granted bail by the Coordinate Bench of this Court vide order dated 4.1.2023 passed in Cr. Misc. No. 39313 of 2022 and vide order dated 1.5.2023 passed in Cr. Misc. No. 15347 of 2023 The petitioner is accused in one more criminal case as stated in para 3 of the bail petition. The petitioner is in custody since 5.3.2022.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submitted that the petitioner is the order giver.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of



the like amount each to the satisfaction of learned A.C.J.M. 1st
(West) Muzaffarpur in connection with Sahebganj P.S. Case
No. 72 of 2022.

8. The application stands allowed.

(Chandra Prakash Singh, J)

Ajay Singh/-

U		T	
---	--	---	--

