

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43258 of 2023**

Arising Out of PS. Case No.-121 Year-2022 Thana- MAHARAJGANJ District- Siwan

Manish Kumar @ Manish Kumar Soni Son Of Rajesh Prasad @ Rajeshwar Prasad Soni Resident Of Village - Pasanauli Ganj, P.S. - Maharajganj, P.O. - Siwan, Distt. - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Kanishk Kaustubh, Advocate
For the Informant	:	Mr. Arbind Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 25-07-2023 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 Maharajganj P.S. Case No. 121 of 2022 dated 28.04.2022 Session Trial No. 09 of 2023 dated 28.04.2022 registered for the offences u/s 302 read with section 34 of the Indian Penal Code and section 27 of the Arms Act.

4. As per the prosecution case, the petitioner and the co-accused persons are alleged to have surrounded the informant and his brother and the co-accused Golu Kumar fired on the head and back



of the informant's brother due to that he died and they fled away.

5. Learned counsel for the petitioner has submitted that the petitioners is innocent and has falsely been implicated in this case. There is no specific allegation against the petitioner. The specific allegation of firing is against the co-accused Golu Kumar. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 28.09.2022.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

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 Court concerned, Siwan in connection with Maharajganj P.S. Case No. 121 of 2022, Session Trial No. 09 of 2023.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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