

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65346 of 2022

Arising Out of PS. Case No.-149 Year-2022 Thana- PATNA CITY CHOWK District- Patna

MANISH KUMAR Son of Sri Dilip Yadav R/o Mohalla- State Bank Gali,
P.S.- Chowk, Dist- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar

For the Opposite Party/s : Mr.

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

ORAL ORDER

2 23-03-2023 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 from today.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner has preferred this application for grant of regular bail in connection with Sessions Trial No. 1078 of 2022 arising out of Chowk P. S. Case No. 149 of 2022 registered for the offence punishable under Sections 302, 120B, 34, 386 and 201 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, the petitioner and co-accused persons fired from their pistols on the owner of the Teel



Oil Karkhana namely Pramod Kumar Bagla due to which he sustained injury and later on he died.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. No such occurrence as alleged has ever taken place. The petitioner is not named in the F.I.R. The name of the petitioner has surfaced during the course of investigation. There is general and omnibus allegation against the petitioner. Learned counsel has further submitted that the similarly situated accused person has already been granted bail by co-ordinate Bench of this Court vide order dated 09.01.2023 passed in Cr. Misc. No. 44514 of 2022. The petitioner is accused in one more criminal case as stated in para 3 of the bail petition, in which the petitioner is on bail. The petitioner is in custody since 08.04.2022.

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

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, Patna City in connection with Sessions Trial No.



1078 of 2022 arising out of Chowk P. S. Case No. 149 of 2022
with the condition:-

1. the petitioner is directed to remain physically
present before the learned Court below on each and every date,
failing which on two consecutive dates without reasonable
cause, the bail bonds of the petitioner is liable to be cancelled.

The application stands allowed.

(Chandra Prakash Singh, J)

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