

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75135 of 2022

Arising Out of PS. Case No.-9 Year-2021 Thana- PIPRAHI District- Sheohar

MANI SHANKAR KUMAR @ MANI SHANKAR SINGH Son of Late
Hemant Kumar Singh @ Raja Singh R/V- Madhkaul, P.S- Belsand, Dist-
Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Nand Kishore Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-01-2023 Heard learned senior counsel for the petitioner, Shri
Yogesh Chandra Verma and learned A.P.P. for the State.

This is the third attempt of the petitioner to seek bail,
as earlier, his bail application was rejected by order dated
03.01.2022 in Cr. Misc. No. 37078 of 2021, the petitioner was
permitted to withdraw his regular bail application, thereafter,
again by order dated 06.07 2022 in Cr. Misc. No. 18388 of
2022, the petitioner sought permission to withdraw his bail
application and, as such, this is the third attempt.

Learned senior counsel submits that the trial has
commenced and out of the seven witnesses, two witnesses have
been examined and the witnesses have turned hostile. It is also
submitted that informant is not an eye-witness to the occurrence



and whatever has transpired has transpired in the case during the course of investigation where it is alleged that petitioner after his arrest confessed his participation in the occurrence and also disclosed that he was one of the assailants who shot the deceased, it is next submitted that confession in police custody does not have any evidentiary value.

Learned A.P.P. for the State opposes the bail application and submits that since the trial has commenced and two witnesses have been examined, as such, releasing the petitioner on bail when trial is in progress does not appear to be proper.

Considering the submissions made by the learned A.P.P. for the State, the Court is not inclined to release the petitioner on bail.

In the event, if the trial is not concluded within a period of nine months from the date of receipt of production of a copy of this order before the learned Trial Court, the petitioner will be at liberty to file an application, before the learned Trial Court itself, seeking regular bail and if the learned Trial Court comes to a conclusion that for no fault of the petitioner, the trial could not be concluded, the learned Trial Court shall be at liberty to pass orders in accordance with law and will also have



liberty to grant bail to the petitioner.

(Satyavrat Verma, J)

HarshPandey/-

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