

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74761 of 2022

Arising Out of PS. Case No.-144 Year-2022 Thana- BALIYA District- Begusarai

MONU KUMAR Son of Maheshwar Rai Resident of Village - Fatehpur, P.S.-
Ballia, District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arjun Prasad, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail, who is in custody since
29.07.2022, in connection with Ballia P.S. Case No. 144 of
2022, F.I.R. dated 01.06.2022 registered for the offences
punishable under Sections 307, 352/34 of the Indian Penal Code
and Section 27 of the Arms Act.

Allegation against the petitioner is that he along with
co-accused persons equipped with arms and with intention to
kill attacked on the car of the informant. Accused Hiramani was
carrying Carbine and Manimohan was carrying pistol who
opened fired on the informant and the bullet passes away
penetrating the glass of car and the informant saved himself and
the accused persons fled away.



Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. He further submits that it appears from the F.I.R. that there is specific allegation against co-accused person namely Hiramani and Mani Mohan Singh who fired upon the victim which hit the vehicle in question and no one has sustained injured. He further submits that co-accused person namely Mani Mohan Singh, allegation against him that he fired upon the victim which hit the vehicle in question has been granted anticipatory bail by a Coordinate Bench of this court vide order dated 01.02.2023 passed in Cr. Misc. No. 58904 of 2022 and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 29.07.2022.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner carries two more cases other than the present one but fairly submits from paragraph-3 of the petition that the petitioner is on bail in both the cases.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two



sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai, in connection with Ballia P.S. Case No. 144 of 2022, subject to the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Ibrar//-

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



