

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7323 of 2024

Arising Out of PS. Case No.-394 Year-2023 Thana- NAWADA MUFFASIL District- Nawada

Manoranjana Singh, Son Of Rambriksh Singh Resident Of Village -
Pachhiyadih, Police Station - Muffasil, District - Nawada

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Birendra Kumar, Adv.
For the Opposite Party/s :	Mr. Md. Fahimuddin, APP
For the Informant :	Mr. Anil Kumar Chaudhary, Adv.
	Mr. Ashok Kumar, Adv.
	Mr. Ajay Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 17-02-2024 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

2. The petitioner seeks regular bail in connection with
Mufassil P.S. Case No. 394 of 2023, lodged on 22.11.2023
under Sections 147, 149, 341, 323, 307, 504, 506 of the Indian
Penal Code read with section 27 of the Arms Act.

3. As per the prosecution case, FIR has been lodged
against six named accused persons including the present
petitioner. As per the FIR, specific allegation made against the
petitioner that he has assaulted the informant by pistol butt on
his face due to the which the informant suffered injury.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. Counsel also submits that from the contents of FIR, it is crystal clear that dispute is due to cutting of grains in the field. Counsel submits that both are agnates and the injury which has been alleged to be caused are simple in nature and the injury report has been annexed as Annexure-2. Counsel further submits that the antecedent of the petitioner is not clean and there are six criminal cases pending against him in which he is on bail. The petitioner is in custody since 09.12.2023 in the present case.

5. Learned counsel for the petitioner submits that the other co-accused person has been granted bail by this Court *vide* order dated 07.02.2024 passed in Cr. Misc. No.4115 of 2024.

6. Learned APP for the State and learned counsel for the informant vehemently opposes the prayer for bail of the petitioner and submits that the petitioner has committed the offence and they are *dabang* persons who always used to put pressure on the informant's family.

7. Upon going through the record, it transpires to this Court that for the same date and place of occurrence, there are case and counter case. One case has been lodged from the petitioner's side i.e. Mufassil P.S. Case No. 395 of 2023 and one case has been filed from the informant's side i.e. Mufassil P.S.



Case No. 394 of 2023. It also transpires to this Court that both informant and petitioner have criminal antecedents.

8. Upon specific query of the Court from the counsel for petitioner that whether charge has been framed in this case or not, counsel submits that as per his knowledge, charge has not been framed in this case.

9. Learned counsel for the informant also submits that there are seven cases pending against the petitioner and not six. The detail of that one case is Nawada Mufassil P.S. Case No. 52 of 2014.

10. In the present facts and circumstances of this case and the submissions made above, **let the petitioner above named be granted bail, but only after framing of charge, if not framed** on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in connection with Mufassil P.S. Case No. 394 of 2023, subject to the conditions as laid down U/s 437(3) Cr.P.C.

11. However, the petitioner shall be granted bail only after on satisfaction of the Trial Court that the petitioner is not absconding in any of the cases pending against him whose details are as follows:-



- (I)- Mufassil P.S. Case No. 829 of 2010.
- (II)- Mufassil P.S. Case No. 64 of 2018.
- (III)- Mufassil P.S. Case No. 51 of 2011.
- (IV)- Mufassil P.S. Case No. 159 of 2013.
- (V)- Mufassil P.S. Case No. 259 of 2023.
- (VI)- Mufassil P.S. Case No. 52 of 2014.
- (VII)- Jamui P.S. Case No. 40 of 2018.

(Dr. Anshuman, J)

Divyansh/-

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

