

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26410 of 2024

Arising Out of PS. Case No.-326 Year-2023 Thana- CHERIYA BARIYARPUR District-
Begusarai

Manjesh Paswan S/O Late Manoj Paswan R/O Village- Siuri, P.S- Cheria
Bariyarpur (Manjhaul O.P.), Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr Satyendra Kumar Shrivastava, Advocate
For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 28-06-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Cheria
Bariarpur (Manjhaul) P.S. case No. 326 of 2023 instituted for
the offences under Sections 147, 148, 149, 448, 307, 387, 354B,
504, 506 of the Indian Penal Code and Section 27 of the Arms
Act.

3. Prosecution case, in short, is that all the accused
persons including the petitioner armed with *lathi*, *danda* arrived
at the place of occurrence and started abusing and assaulting the
informant. It is further alleged that co-accused Manish Kumar
started pressing the neck of the informant. Moreover, petitioner
has fired upon the son of informant.



4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. It is alleged that petitioner has fired upon the son of the informant. It has been submitted on behalf of the petitioner that the petitioner is in custody since 07.01.2024 and has seven criminal antecedents. It is submitted that charge sheet has been submitted in this case. Other co-accused have been granted bail by this Court *vide* orders dated 20-03-2024, 01-04-2024 & 15-05-2024 passed in Cr. Misc. No. 21067 of 2024, Cr. Misc. No. 14115 of 2024 & Cr. Misc. No. 36361 of 2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and charge sheet being submitted as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail, **after framing of charge, if not already framed**, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Cheria Bariarpur (Manjhaul) P.S. case No. 326 of 2023, subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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