

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47010 of 2024

Arising Out of PS. Case No.-179 Year-2023 Thana- SONEPUR District- Saran

MANOJ SINGH @ MANOJ KUMAR SINGH @ MANOJ SON OF
BANARASI SINGH RESIDENT OF VILL- RAMSAPUR, P.S.- SONEPUR
(PAHLEZA O.P.), DISTRICT- SARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dileep Kumar Singh, Advocate
For the Informant	:	Mr. Saket Anand, Advocate
		Mr. Alok Kumar, Advocate
For the Opposite Party/s	:	Mr. Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

2 15-07-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner seeks bail in connection with
Sonepur P.S. Case No. 179 of 2023 instituted for the offences
punishable under Sections 341, 323, 324, 307, 379, 504/34 of
the Indian Penal Code.

3. Allegation against the petitioner is to have assaulted
the informant and his family members by means of axe, spear,
iron rod and fire arms with intention to cause death along with
other named accused persons.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He has



falsely been implicated in this case due to land dispute. There is case and counter case between the parties. The allegation levelled against the petitioner is not specific rather the allegation with regard to assault is general and omnibus in nature. Similarly situated co-accused persons have already been granted bail by this Court vide order dated 15.03.2024 passed in Cr. Misc. No. 77061 of 2023; in Cr. Misc. No. 10578 of 2024 dated 10.04.2024 and in Cr. Misc. No. 28156 of 2024 dated 19.04.2024. Moreover, he is languishing in judicial custody since 04.05.2024.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for bail.

6. From perusal of the F.I.R., impugned order dated 15.05.2024, case diary and injury report, it appears that on the basis of typed report of the informant Sadhu Singh, F.I.R. registered against 13 accused persons including this petitioner and there is no specific allegation against this petitioner. Several persons were injured in this case but no specific allegation of assault has been attributed against any of the accused persons.

7. Considering the facts and circumstances of the case and submissions made on behalf of the petitioners as well as period of custody of the petitioners, let the above named



petitioners be released on bail *after framing of charge* on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge - V, Saran at Chapra in connection with Sonapur P.S. Case No. 179 of 2023.

8. The trial Court is directed to conclude the proceeding of framing of charge according to law within a period of 15 (fifteen) days from the date of receipt of a copy of this order. However, it is made clear that *if the charge-sheet has not been submitted* then the petitioners shall be released on bail on above conditions and they shall be present physically on each and every date before the Trial Court till conclusion of the proceeding of framing of charge.

(Ramesh Chand Malviya, J)

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