

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5593 of 2025

Arising Out of PS. Case No.-630 Year-2023 Thana- MANER District- Patna

=====

Munna @ Munna Kumar @ Yaswant Kumar S/O Vishwajeet Yadav @
Bishvjit Kumar R/O village- Devra, P.S.- Naubatpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Santosh Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Bishweshwar Ram, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 19-03-2025 Heard the parties.

2. The petitioner is in custody in connection with Maner P.S. Case No. 630 of 2023 instituted under Sections 302, 34, 120(B) of the Indian Penal Code and 27 of the Arms Act lodged on 30.8.2023 by the informant, Kunal Kumar.

3. As per the prosecution story, the informant alleged that when his brother was sitting in his medical shop, due to previous land dispute, the accused persons including the named accused Jitendra Singh, Shashi Bhushan Singh and Chandra Bhushan Singh under conspiracy sent Chunnu Rai and Bishundhari Rai @ Sipahi Jee along with 4 -5 unknown persons, pretending as buyers of medicines, entered the shop and it is alleged that while unknown persons for a medicine, Chuunu Rai and Bishundhari Rai @ Sipahi Jee resorted to indiscriminate



firing causing serious injury to the informant's brother. They later, retreated. He was rushed to the Paras Hospital where the Doctor declared him dead. The reason has been assigned that the informant was having land dispute with Jitendra Singh's family for which scuffle took place earlier and Jitendra Singh, Shashi Bhushan Singh and Chandra Bhushan Singh had warned him of dire consequences. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that he is not in the list of named accused rather his name has come in the course of investigation, a bare perusal of the FIR would show that specific allegation is against Chunnu Rai and Bishundhari Rai @ Sipahi Jee whose assault proved fatal, he has remained in custody since 02.12.2023 (paragraph 4 of the petition) though he concede that the petitioner has criminal antecedent. The last submission is that Awadhesh Ray has been granted bail in Cr. Misc. No. 9275 of 2024.

5. Learned APP though opposes the prayer concede that main allegation is against Chunnu Rai and Bishundhari Rai @ Sipahi Jee.

6. Taking into account the aforesaid facts as also that the allegation of indiscriminate firing is against Chunnu Rai and Bishundhari Rai @ Sipahi Jee. The petitioner's name has come



in course of investigation, has remained in custody since 02.12.2023 and one of the co-accused, Awadhesh Ray has been granted bail, as recorded above, in that background, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Danapur, Patna in connection with Maner P.S. Case No. 630 of 2023 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for



cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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

