

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24653 of 2025

Arising Out of PS. Case No.-177 Year-2024 Thana- SHANKARPUR District- Madhepura

Manish Kumar S/o Ram Bhajan Prasad Yadav Resident of village- Raibhir,
Ward no 7, PS- Shankarpur, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjiv Kumar, Advocate

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

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

ORAL ORDER

2 23-04-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Shankarpur P.S. Case No. 177 of 2024 instituted for the offences
under Sections 109, 3(5) of the Bharatiya Nyaya Sanhita and
Section 27 of the Arms Act.

3. Prosecution case, in short, is that accused persons
including the petitioner reached at the place of occurrence, and
the co-accused Manish Kumar fired upon the shoulder of the
informant's husband due to which he sustained injuries.

4. Learned counsel for the petitioner submitted that
the petitioner has falsely been implicated in the present case.
Learned counsel for the petitioner submitted that general and



omnibus allegation has been made against the petitioner. The specific allegation of firing is against co-accused, namely, Manish Kumar. It has been submitted on behalf of the petitioner that the petitioner is in custody since 15.10.2024 and has two criminal antecedents. Charge sheet is submitted in this case. Other similarly situated co-accused has been granted bail by this Court vide order dated 15-02-2025, passed in Cr. Misc. No. 6742 of 2025.

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, there being no specific allegation of firing against the petitioner as also the period of custody undergone by the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail 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 Shankarpur P.S. Case No. 177 of 2024, 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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