

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10110 of 2015

Arising Out of PS.Case No. -381 Year- 2014 Thana -SUGAULI District- EASTCHAMPARAN
(MOTIHARI)

Manoj Pal, Son of Sri Shankar Pal, Resident of village- Kathaulia, P.S:
Sugauli, District- East Champaran. At present Resident of Mohalla-
Sugauli, Taj Babu Chowk, P.S.-Sugauli, district- East champaran,

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Ambika Bhagat, Advocate

For the Opposite Party/s : Mr. Ajay Kumar I (App)

CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

3 23-06-2015 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 302, 120B of the Indian Penal
Code and Section 27 of the Arms Act.

The allegation against the petitioner and four others is to
have killed Munna Kumar, son of the informant and his friend
Manish Kumar. Manish Kumar died on the spot, whereas, Munna
Kumar died during treatment.

It is submitted that the informant is not the eye witness to
the occurrence. Both the deceased and Satya Prakash had gone to
visit picture and while they were returning, Satya Prakash saw



some persons shot fire on both the deceased. He has named only two persons Manoj Sahni and Manoj Rai. The name of the petitioner has appeared in the statement of Nandini, wife of the deceased Munna Kumar, but she is not the eye witness to the occurrence. During investigation, it has come to light that Manoj Sahni, the step brother of Nandini was angry with Nandini, as she had married the deceased Munna Kumar. The co-accused Manoj Sahni and Manoj Rai had committed the offence killing the aforesaid two persons. During investigation, it has also come to light that the name of the petitioner has appeared due to enmity, as he had refused to let out of a shop to the informant. However, after investigation, charge sheet has already been submitted. The petitioner is in custody since 26.10.2014 having no criminal antecedent.

Learned counsel for the State could not controvert the contention of the petitioner while opposing his prayer for bail.

Considering the facts and circumstances of the case, let the above-named petitioner be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Motihari (East Champaran) in Sugauli P.S. Case No.381/2014 with the following conditions :



1. One of the bailors will be the close relative of the petitioner.
2. The petitioner will not indulge in similar or in any other offence.
3. The petitioner will be well represented in the court.
4. In case of absence for two consecutive dates or in violation of the terms of the bail, his bail bond will be liable to be cancelled by the court concerned.

(Amaresh Kumar Lal, J)

V.K. Pandey/-

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