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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17330 of 2016
Arising Out of PS.Case No. -524 Year- 2015 Thana -BIHTA District- PATNA

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1. Vinay Manjhi Son of Ganauri Manjhi resident of Village Jagdishpur Masohari Tola P.S. Bihta District Patna..... .... Petitioner

Versus

1. The State of Bihar .... Opposite Party

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Appearance :
For the Petitioner/s : Mr. Subodh Prasad
For the Opposite Party/s : Mr. Anuradha Singh (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 20-06-2016 Heard learned counsel for the petitioner and learned counsel representing the State.

The petitioner seeks bail in connection with Bihta P.S. Case No. 524 of 2015 registered for the offences punishable under Sections 302, 379/34 of the Indian Penal Code.

Allegedly, Baijnath Singh the husband of the informant developed illicit relationship with co-accused Tetari Devi for last 1 ½ -2 years but that was broken. However, the husband of the informant used to visit the house of co-accused Tatari Devi which was being opposed and ultimately Tetari Devi in collusion and in conspiracy with petitioner and other co-accused killed the husband of the informant.

Submission is of false implication and that there is no eye witness of the occurrence, no one has seen the petitioner committing the crime. The name of the petitioner was taken by co-

accused Tetari Devi in her confessional statement and that Tatari Devi has been allowed bail vide Cr. Misc. No. 13087 of 2016 and the petitioner is suffering in custody since17.07.2015 having no criminal antecedent.

Learned APP opposes the prayer of bail.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge, Danapur, Patna in S. T. No. 21 of 2016 arising out of Bihta P.S. Case No. 524 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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