

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21125 of 2016

Arising Out of PS.Case No. -180 Year- 2015 Thana -MANJHI District- SARAN

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1. Munchun Kumar Yadav @ Munchun Yadav S/o Shivjee Yadav, Resident
of village- Manjhi, Miyanpatti, P.S.- Manjhi, District- Saran at Chapra

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Narendra Kumar

For the Opposite Party/s : Mr. R.B.Ray Raman(App)

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 24-05-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection
with Manjhi P.S. Case No. 180 of 2015 registered under Sections
302 and 201/34 of the Indian Penal Code.

It is contended that there is no truth behind the
allegation made in the FIR. The FIR has been instituted merely on
hypothetical presumption and wild suspicion. It is further
submitted that the co-accused Shivjee Yadav, having identical
allegation to that of the petitioner, has already been granted
anticipatory bail by a coordinate Bench of this Court vide order
dated 29.02.2016 passed in Cr.Misc. No. 57178 of 2015.

Learned counsel for the State has opposed the

application preferred under Section 438 of the Code of Criminal Procedure. He has submitted that the offence alleged is quite serious and the investigation is going on. However, he concedes that the co-accused Shivji Yadav having identical allegation has been granted anticipatory bail by a Bench of this Court.

Regard being had to the facts and circumstances of the case, in the event of arrest or surrender before the court below within six weeks from today, the petitioner Munchun Kumar Yadav @ Munchun Yadav is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-cum-Sub Judge-V, Saran at Chapra in connection with Manjhi P.S. Case No. 180 of 2015, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

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