

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25122 of 2017

Arising Out of PS.Case No. -38 Year- 2017 Thana -WAJIRGANJ District- GAYA

=====

1. Tarun Manjhi @ Karun Manjhi Son of Tulsi Manjhi, resident of Village-
Bachwa Tand, P.S. and P.O. Wazirganj in the District of Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Braj Nandan Kumar Tiwary

For the Opposite Party/s : Mr. Smt. Reena Sinha

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 30-06-2017 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 147, 148, 149, 302, 201,
120(B) of the Indian Penal Code and Section 27 of the Arms Act.

The informant is an eye-witness of the
occurrence and in his presence his son Ashok Singh, who was an
employee in the Civil Court, Gaya was murdered by bitter assault
by the named persons. It is disclosed in the FIR that the named
persons assaulted to the deceased and some unknown persons
were also there who fled away along with the named persons after
commission of the crime. The petitioner is not named in the FIR.
During investigation, after two months of the occurrence co-
accused Naresh Kumar confessed before the police wherein he
stated that the petitioner was also involved in the occurrence of



assault to the deceased and murder.

Submission of the learned counsel for the petitioner is that confession of the co-accused, before the police, is no evidence against the petitioner. Besides the aforesaid there is no material against the petitioner. Moreover, the petitioner has got no criminal antecedent and he is in custody since 06.04.2017 and investigation against the petitioner is already completed.

Learned counsel for the informant opposed the prayer for bail on the basis of aforesaid material appearing in the case diary.

Considering the fact that there is no substantial material against the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1, Gaya/successor Court in connection with Wazirganj Police Station Case No. 38 of 2017, G.R. No. 512 of 2017, subject to the condition that the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

Kundan/-

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

