

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45264 of 2017

Arising Out of PS.Case No. -195 Year- 2017
Thana -SARAIYA District- MUZAFFARPUR

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Manoj Singh son of Krishna Nand Singh resident of village - Ibrahimpur,
P.S. Saraiya, District – Muzaffarpur Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner : Mr. Man Mohan Kumar, Advocate

For the Opposite Party : Mr. Shyam Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 19-09-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in a case registered for the
offence under sections 304B, 201 and 34 of the IPC.

Counsel for the petitioner submits that the petitioner
has falsely been made accused in this case and he is only a co-
villager and Pattidar of the husband of the deceased and has no
concern with his family affairs. Further, it has come in the
impugned order itself that he was a mediator of marriage
between the deceased and her husband. There is general
allegation against him in the FIR. Prior to the instant case, no
case is pending against the petitioner and he is in custody since
20.5.2017.

In view of the aforesaid submissions, let the petitioner
as mentioned above be released on bail on furnishing bail bond
of Rs.10,000/- with two sureties of the like amount each to the
satisfaction of the Sub Divisional Judicial Magistrate (West),
Muzaffarpur in Saraiya Police Station Case No. 195 of 2017, on
the following conditions:-



(a) One of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with him. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(b) The affidavit shall clearly state that the petitioner is not an accused in any other case, and if he is, he shall not be released on bail.

(c) The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter, the court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse.

(d) The petitioner will give an undertaking that he will receive the police papers on the given date and be present on date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse.

(e) The petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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