

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44798 of 2018

Arising Out of PS.Case No. -251 Year- 2017 Thana -RAHUI District- NALANDA
(BIHARSHARIFF)

=====

1. Manoj Kumar @ Manoj Yadav S/o Raghu Yadav, R/o Vill.- Musapur,
P.S.- Rahui, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad

For the Opposite Party/s : Mr. Md. Fahimuddin

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 03-08-2018

Heard learned counsel for the petitioner as well as the
State.

The petitioner apprehends his arrest in Rahui (Bhagan
Bigha) P.S. Case No. 251/2017, instituted for the offences under
Sections 341, 147, 148, 149, 324, 302 and 201 of the Indian Penal
Code.

In the written report, it is alleged that the dead body of
the brother of the informant was recovered from a bush. The informant
raised suspicion that last night, i.e. on 08.03.2017 while he was going to
Bus stand he saw the petitioner along with other accused persons were
sitting around the boring of Khiri Mahto. They might have killed his
brother because of previous dispute.

Learned counsel for the petitioner has submitted that
mere suspicion has been raised by the informant against this petitioner.
There is no eye witness of the occurrence. The petitioner was not



present on the spot. He has been falsely implicated in this case due to previous enmity.

Considering the facts and circumstances of the case, the prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Rahui (Bhagan Bigha) P.S. Case No. 251/2017, he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nalanda at Biharsharif subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J.)

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