

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16968 of 2018

Arising Out of PS.Case No. -166 Year- 2016 Thana -GAUTAMBUDHNAGAR District- SIWAN

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Mannu Kumar Son of late Arjun Ram Resident of Village Chandi@ Chari,
P.S. G.B. Nagar, District Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Naresh Prasad

For the Opposite Party/s : Mr. Sri Narsingh Tanti

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 18-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner had earlier moved for bail which was
rejected vide order dated 07.08.2017 passed in Cr. Misc. No.
29318 of 2017.

Petitioner is languishing in judicial custody since
07.02.2017 in connection with Sessions Trial No. 434 of 2017
arising out of G.B. Nagar P.S. Case No. 166 of 2016 for offences
punishable under Sections 341, 326, 307 of the Indian Penal Code
and subsequently Section 302/34 I.P.C. was added.

The prosecution case, as lodged by the informant who
later on succumbed to her injury, is that when she had gone for
natural call, the petitioner along with one un-named person tried to



tie towel on her mouth and the petitioner sprinkled kerosene oil. The other unknown person lit fire on which she was seriously burnt and died during course of treatment on 23.07.2016 at P.M.C.H.

It has been submitted by the learned counsel for the petitioner that he is innocent, there is no eye witness to the alleged occurrence and there is no allegation by the deceased informant that the petitioner lit fire and burnt her. He submits that although charges have been framed but only one witness has been examined upto now. He undertakes to cooperate in the trial and not tamper with the evidence.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J. IVth, Siwan, District-Siwan in connection with Sessions Trial No. 434 of 2017 arising out of G.B. Nagar P.S. Case No. 166 of 2016, subject to the conditions that:

- (1) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will



file an affidavit stating his relationship with the petitioner.

- (2) Petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Devendra/-

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