

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9681 of 2019

Arising Out of PS. Case No.-705 Year-2018 Thana- BIHTA District- Patna

Manish Kumar, aged about 28 years, (male), S/o Anil Yadav Resident of
Village- Kunjwa, P.S- Bihta, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjay Kumar Singh

For the Opposite Party/s : Mr.Nand Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 20-02-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Bihta P.S. Case No. **705/2018**
registered for the offence punishable under Sections 302 and 34
of the Indian Penal Code.

Informant has alleged that on 28.06.2018, the
petitioner came at his house and told his son to take the
Tractor for loading sand at the site and after that his son and the
petitioner went with the tractor for loading sand and the said
tractor belongs to the petitioner. On 29.06.2018, informant saw
the tractor was parked in front of his house and when he reached
near the tractor, he saw that Ranjan Kumar (his son) was lying
dead and his mouth was full of sand. He suspected that
petitioner along with other co-accused has murdered his son.

It has been submitted on behalf of the petitioner that



he is innocent and has falsely been implicated in this case merely on the basis of suspicion. It has further been submitted that informant has implicated the petitioner in his case with a view to grab money from the family of the petitioner. Petitioner has no criminal antecedent and he is in custody since 12.12.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned A.C.J.M., 1- Danapur, Patna in connection with Bihta P.S. Case No. **705/2018**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.



(3) If the petitioner tampers 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.

(S. Kumar, J)

Sanjay/-

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