

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13472 of 2019

Arising Out of PS. Case No.-246 Year-2018 Thana- GRIYAK District- Nalanda

MANJIT KUMAR Son of Arvind Kumar @ Mathura Prasad Resident of
Village - Chorsua, P.S.- Giriyak, Distt - Nalanda at Biharsharif

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad

For the Opposite Party/s : Mr.Pramod Kumar Pandey

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 08-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
27.06.2018 in connection with Giriyak P.S. Case No. 246 of
2018 for offences punishable under Sections 302, 34 of the
Indian Penal Code and Section 27 of the Arms Act.

The prosecution case, as lodged by the informant, is
that while he was posted as night guard in the Airtel Tower and
while he along with his wife and father-in-law Hari Mahto was
sitting one Chandrashekhar @ Shekhar, who is the relation of
the informant along with four others including the petitioner,
came and co-accused Chandrashekhar @ Shekhar fired at his
father-in-law hitting his chest, who succumbed to the injuries.
Thereafter, all other co-accused including the petitioner
threatened the informant and his wife to maintain silence



otherwise they would also be killed. The cause of occurrence, as alleged in the FIR, is that co-accused Chandrashekhar @ Shekhar had taken Rs. 50,000/- from the informant for purchase of land which even on demand he was not returning.

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case. He submits that charge-sheet has already been submitted there being no allegation of tampering with the prosecution witnesses and one of the co-accused on similar allegations has been granted the privilege of bail by a coordinate Bench of this court in Cr. Misc. No. 907 of 2019 vide order dated 17.01.2019.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner does not have a clean antecedent and one more case although of the year 2014 under similar offence is pending against him.

Considering the facts and circumstances and the nature of allegation as well as the fact that another co-accused on similar allegations has been granted the privilege of bail, 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 Chief Judicial



Magistrate, Nawada, in connection with Giriyak P.S. Case No. 246 of 2018, subject to the condition that 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.

(Nilu Agrawal, J)

Rajesh/-

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