

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29752 of 2019

Arising Out of PS. Case No.-199 Year-2018 Thana- KARJA District- Muzaffarpur

Manish Kumar (Male), aged about 25 years, Son of Late Uma Shankar Jha,
Resident of Village - Patahi (Harikesh), P.S. - Sadar, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Shekhar Anand, Advocate

For the Opposite Party/s : Mr.Jitendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 05-07-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Karja P.S.
Case No. 199 of 2018 (Sessions Trial No. 134 of 2019)
registered under Sections 363, 364 and added Sections 302,
120(B), 201 of the Indian Penal Code and Section 27 of the
Arms Act.

Informant is the father of deceased who in his written
complaint has alleged that his son Jaya Prakash Narayan received
a call from Mobile No. 7361907855 at 8:30 am and went on his
motorcycle to finalize some land deal, subsequently he
informed his wife that he was going to Patna and thereafter
informed that he will be reaching his shop at 10:30 am. He
called his brother to send cheque book and seal on which he



issued 4 cheques, 2 in the name of informant and 2 in the name of his staff amounting to Rs. 50 Lacs and 50 lacs but in his account there was only Rs. 44,000/- and on being contacted on mobile asked to talk to his partner Bablu Bhaiya. He did not return and FIR was filed and after 29 days his dead body was recovered. FIR is against unknown.

Paragraph-164 is statement of Manish Kumar under Section 164 Cr.P.C. before Magistrate in which he has admitted that he received the cheque from the employee of Jai Prakash Narayn and hand over the cheque and key of motorcycle to his sister. Paragraph-183 is report of T.I.P. in which witness Sanjay Rai has identified the Manish Kumar. There is no specific allegation against the petitioner and other co-accused in this case has been granted bail by a Co-ordinate Bench of this Court.

In the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of 3rd Additional Sessions Judge, Muzaffarpur in connection with Karja P.S. Case No. 199 of 2018 (Sessions Trial No. 134 of 2019), subject to the following conditions :

- (1) One of the bailors would be close relative of the



petitioner having sufficient immovable properties, who will file an affidavit stating his relationship with the petitioner.

(2) The 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.

(3) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned Court below for cancellation of his bail bonds.

(Anjani Kumar Sharan, J)

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