

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.18597 of 2021**

Arising Out of PS. Case No.-602 Year-2020 Thana- BRAHMPUR District- Buxar

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MANTU KUMAR PURI @ MANTU KUMAR GIRI, Son of Sri Rampuri,
Resident of Village- Harkhahi Mathiya, P.S.- Brahmpur (K.B.), District-
Buxar. Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vikram Deo Singh, Advocate
Mr. Shankar Kumar, Advocate
For the Opposite Party/s : Mr. Pradeep Narain Kumar, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

4 25-08-2021 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by office within four weeks

after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr.
Pradeep Narain Kumar, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail in
connection with Brahmpur (K.B.) P.S. Case No. 602 of 2020
registered for the offence punishable under Section 324, 302, 201
and 120(B) of the Indian Penal Code, 1860. He is in custody
since 21.11.2020.

Learned counsel for the petitioner submits that from the
First Information Report itself it would appear that the son of the
informant was called on his mobile by some one whereafter he left
his house in the night hour but did not return home. On the next
day his dead body was found at a distance of around 300-400

metre lying in an orchard. The son of the informant was killed by sharp cutting weapon.

Learned counsel for the petitioner submits that so far as this petitioner is concerned, his name has transpired in the confessional statement of the co-accused Sanoj Kumar who has already been granted bail by a learned coordinate Bench of this Court in Cr. Misc. No. 19291 of 2021.

Learned counsel submits that save and except the confessional statement extracted in Police custody there is no other material against the petitioner. No witness is available in the case diary to say that the petitioner was seen with the co-accused Sanoj Kumar. Petitioner has otherwise no criminal antecedent.

Mr. Pradeep Narain Kumar, learned A.P.P. for the State has though opposed the prayer for bail of the petitioner but after going through the case diary he does not dispute the above submission of learned counsel for the petitioner.

In course of argument, Mr. Pradeep Narain Kumar, learned A.P.P. for the State pointed out that the petitioner has got one criminal antecedent, but Mr. Vikram Deo Singh, learned counsel for the petitioner has clarified that in the said case the petitioner has been acquitted and presently no case is pending against him.

In the facts and circumstances of the case stated

hereinabove where this Court has noticed that except the confessional statement of the co-accused and the petitioner allegedly extracted in Police custody no other material is there to connect the petitioner and the co-accused has already been granted bail, this Court directs release of the petitioner above named on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Brahmpur (K.B.) P.S. Case No. 602 of 2020, subject to the condition as laid down under Section 437 (3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.