

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22063 of 2021

Arising Out of PS. Case No.-283 Year-2020 Thana- TRIVENIGANJ District- Supaul

Manoj Yadav Son of Ramdeo Yadav Resident of Village- Karnpatti, Ward No. 14, P.S.- Triveniganj, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prafull Chandra Thakur

For the Opposite Party/s : Mr. Rajkishore Singh A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-07-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Triveniganj P.S. Case No. 283 of 2020, registered for the offence under Section 326, 302, 120(B), 34 of the IPC, Section 27 of the Arms Act and Sections 3, 4 and 5 of the Prohibition of Witch Practices Act, 1999.

The informant suspects that all the FIR named accused persons, including the petitioner, conspiring with each other, killed the wife of informant. It is alleged that all the accused persons suspect that the deceased was having knowledge of witchcraft and caused harm to their family.

It is submitted on behalf of the petitioner that there is no eye-witness to the occurrence. Petitioner is neighbour of the informant and only on suspicion, he has been made accused in this case. There is no specific allegation against the petitioner. Petitioner has got clean antecedent and he is in custody since



26.09.2020. Investigation is complete.

Learned A.P.P. for the State has opposed the bail petition.

Considering the period of custody and the fact that only on suspicion, petitioner has been made accused, the bail petition of petitioner is allowed. Let the above named petitioner 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 learned A.C.J.M.-Ist, Supaul in connection with Triveniganj P.S. Case No. 283 of 2020, on the following conditions:

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

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J.)

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