

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25785 of 2021

Arising Out of PS. Case No.-331 Year-2020 Thana- BRAHMPUR District- Buxar

Manan Tiwari S/O Late Dil Tiwary @ Hari Narayan R/O Village-Bishupur,
P.S.-Brahmpur, District-Buxar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hari Shankar Roy, Advocate
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-11-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Brahmpur P.S. Case No. 331 of 2020 instituted for the offences
under Sections 302 and 34 of the Indian Penal Code read with
Section 27 of the Arms Act.

Learned counsel for the petitioner submits that from
bare perusal of the allegation as alleged in the F.I.R. it would
manifest that the informant has alleged that his son was not
present at house after 9.00 pm on 24.06.2020, further the
informant got information at about 4.00 am on the next day that
the dead a body has been found near dam and after that one
Ramji Yadav called on his mobile and informed him that dead
body of his son is lying near dam. Accordingly, the informant



reached there and saw dead body of his son. The informant alleges that at about 9.00 pm on the previous night, three persons had come and were talking to his son.

Learned counsel for the petitioner submits that there is no eye-witness to the alleged occurrence and the police has extracted the confessional statement of Sunil Kumar Yadav based on which the name of the petitioner transpired in this case. It is further submitted that Sunil Kumar Yadav on whose confessional statement the name of the petitioner transpired has been granted bail by this Court vide order dated 03.08.2021 in Cr. Misc. No. 6253 of 2021.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner and submits that petitioner has got criminal antecedents as mentioned in paragraph '3' of the bail application on which the learned counsel for the petitioner submits that petitioner is facing trial and is on bail in the aforesaid cases.

Considering the fact that the petitioner is in custody since 17.12.2020 and co-accused Sunil Kumar Yadav, on whose confessional statement name of the petitioner transpired, has been granted bail by this Court, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/-



(Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Brahmpur P.S. Case No. 331 of 2020 subject to the condition as laid down under Section 437 (3) Cr.P.C.

(Satyavrat Verma, J)

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