

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28681 of 2021

Arising Out of PS. Case No.-55 Year-2020 Thana- MATIYARIA District- West Champaran

PREM MANJHI S/o Bali Manjhi Resident of Village - Basantpur, Ward No. 11, P.S. - Matiyaria, District - West champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sanjeev Kumar
For the Informant	:	Mr. Shiv Kumar Dwivedi
For the Opposite Party/s	:	Mr.Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-08-2021 This matter is taken up for consideration through
Video Conferencing.

Heard both parties.

The petitioner seeks bail in Matiyaria P.S. Case No. 55 of 2020 corresponding to Sessions Trial No. 82 of 2021, registered for the offence punishable under Sections 302, 120B and 34 of the Indian Penal Code.

As per the prosecution case, on 12.10.2020 at 10.00 pm, informant's son was at home after having dinner, he was called by co-accused Darshan Manjhi and when his son did not return home till morning. Informant and his wife went to the house of co-accused Darshan Manjhi and enquired about his son, Darshan Manjhi and his brother abused and ousted them,



subsequently, the dead body of informant's son was found near the bank of river. It is suspected that all the FIR named accused persons including petitioner after hatching up criminal conspiracy committed murder of informant's son.

It is submitted on behalf of the petitioner that petitioner has been made accused in this case only on suspicion and he is only alleged to be one of the conspirators. During course of investigation, it has come that deceased was having love affair with Nirjla Kumari daughter of co-accused Munna Manjhi, as a result of which he was done to death. Save and except suspicion there is no material against this petitioner. Petitioner is in custody since 04.01.2021.

However, counsel for the informant vehemently opposed the bail application and submitted that this petitioner along with other conspired and committed murder of informant's son.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to 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 the learned Additional District & Sessions Judge IV, Bettiah, West Champaran in connection with Matiyaria P.S. Case No. 55 of



2020 corresponding to Sessions Trial No. 82 of 2021, subject to following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

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

(Prabhat Kumar Singh, J)

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