

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35771 of 2021**

Arising Out of PS. Case No.-69 Year-2020 Thana- ISHIPUR District- Bhagalpur

Binod Murmu @ Kadwa @ Bhya Tuddu @ Bhayo Tudu Son of Late Hopnu
Manjhi Resident of Village - Barmasiya, P.S.- Ishipur Barahat, Distt.-
Bhagalpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Swapnil Kumar Singh

For the Opposite Party/s : Mr.Choubey Jawahar, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 28-09-2021 Heard both parties.

The petitioner seeks bail in Ishipur (Barahat) P.S.
Case No. 69 of 2020 corresponding to Sessions Trial No. 87 of
2021, registered for the offence punishable under Sections 302,
201 and 34 of the Indian Penal Code.

As per the prosecution case, informant suspects that
this petitioner along with his two associates committed murder
of the son of informant because this petitioner and his two
associates were fast friends of the deceased and were found
absconding from the village on the date occurrence.

It is submitted on behalf of the petitioner that
petitioner has falsely been implicated in this case merely on
suspicion as the petitioner was found absconding from the
village on the date of occurrence. Though the occurrence is said
to have taken place on 16.09.2020, but the FIR was lodged on



18.09.2020 i.e. after delay of two days for which no plausible explanation has been given. Save and except suspicion, there is no material against this petitioner which shows his complicity in the alleged occurrence. Petitioner is in custody since 07.10.2020 having clean antecedent. Chargesheet has already been submitted.

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 X, Bhagalpur in connection with Ishipur (Barahat) P.S. Case No. 69 of 2020 corresponding to Sessions Trial No. 87 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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