

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40208 of 2021**

Arising Out of PS. Case No.-268 Year-2019 Thana- MANIYARI District- Muzaffarpur

Manjit Rai @ Manjit Kumar Son of Chandeshwar Rai R/o Village - Sahpur
Maricha, P.S. - Maniyari, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha

For the Opposite Party/s : Mr.Vinod Shanker Modi

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

3. 07-10-2021 Heard learned counsel for the parties.

This is 3rd attempt for grant of bail on behalf of petitioner in Maniyari P.S. Case No. 268 of 2019, registered for the offence under Section 302 / 34 of the Indian Penal Code and Section 27 of the Arms Act. Earlier twice, the prayer for bail of petitioner was rejected, vide orders kept as Annexure 1 and 1/A respectively.

Vide order dated 18.08.2021, a report was called for from the trial court, which reveals that charges have already been framed and the case is at the stage of prosecution evidence.

It is submitted on behalf of petitioner that petitioner is languishing in jail since 18.10.2019 and trial is not progressing smoothly. On merit also, it is submitted by the counsel for petitioner that informant, who disclosed the name of petitioner, is not the eye-witness of the occurrence and he has not disclosed the source of information and no arms or ammunition has been



recovered from the possession of the petitioner.

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

Considering the nature of accusation, period of custody and stage of the trial, 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 Sri Nayan Kumar, J.M. 1st Class, Muzaffarpur / C.J.M., Purnea / concerned court in connection with Maniyari P.S. Case No. 268 of 2019, 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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