

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9572 of 2021**

Arising Out of PS. Case No.-102 Year-2019 Thana- PARBATTI District- Bhagalpur

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MANISH KUMAR @ JHABO Son of Late Ramanuj Rai Resident of Village
- Tulsipur, Police Station - Kharik, District - Bhagalpur.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vikram Singh, Advocate

For the Opposite Party/s : Mr. A. G

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

2 22-07-2021 Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under sections 302/34 of the Indian Penal Code.

As per the prosecution case, three named accused persons assaulted the brother of the informant as a result of which he sustained injuries and died thereof.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Petitioner's name has figured during course of investigation in confessional statement of co-accused Rakesh Rai as a conspirator behind the alleged offence. Petitioner has claimed clean antecedent and he is in custody since 13.12.2019. Several similarly situated co-accused have already



been allowed bail by co-ordinate bench of this Court vide orders passed in Cr.Misc.No. 32634/2020 and 6154/2021.

Considering the facts and circumstances of the case and the fact that several similarly situated co-accused have already been allowed bail by this Court, let the petitioner, mentioned above, 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 Additional Sessions Judge, Naugachia, Bhagalpur in SC No.82 of 2020/Parbatta Police Station Case No. 102 of 2019 on the following conditions:-

(1) 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 on his/her absence on two consecutive dates without sufficient reason, his/her 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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