

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45575 of 2021

Arising Out of PS. Case No.-427 Year-2020 Thana- MAJHAULIA District- West Champaran

KISHUN MANJHI Son of Late Shri Manjhi Resident of Village- Bhanachak,
P.S.- Majhaulia, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anant Kumar Mishra, Adv.

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-12-2021 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks bail in connection with Majhaulia P.S. Case No. 427 of 2020 registered for the offence under Sections 302 and 34 of the Indian Penal Code.

Informant alleges that his younger brother has been killed by his in-laws members.

Learned counsel appearing for the petitioner submits that the petitioner, who is of clean antecedent, is innocent and has falsely been implicated in this case. In fact,



the petitioner happens to be cousin father-in-law of the deceased and mere on suspicion, this petitioner has been made accused in this case. The petitioner is not involved in the alleged occurrence in any manner. No specific allegation of assault is attributed to the petitioner. Moreover, the co-accused, namely, Sharda Devi, who happens to be mother-in-law of the deceased, has already been granted bail by a co-ordinate Bench of this Court vide order dated 03.06.2021 passed in Cr. Misc. No. 2272 of 2021. The petitioner is rotting in judicial custody since 08.01.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, 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 learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Majhauriya P.S. Case No. 427 of 2020 with 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 canceled 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.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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