

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36030 of 2020

Arising Out of PS. Case No.-23 Year-2020 Thana- JAMHOR District- Aurangabad

MANISH KUMAR ALIAS MANISH YADAV, S/O NARMADESHWAR
SINGH ALIAS DUL YADAV RESIDENT OF VILLAGE - RATNAUR, P.S. -
JAMHORE, DISTRICT - AURANGABAD (BIHAR)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar
For the Opposite Party/s : Mr. Md. Aslam Ansari
For the Opposite Party No. 2 : Ms. Mukul Kumari

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 27-01-2021 Heard Mr. Krishna Prasad Singh, learned senior

Advocate for the petitioner; Ms. Mukul Kumari, learned

counsel for the informant; and Md. Aslam Ansari,

learned APP for the State.

The petitioner seeks bail in connection with

Jamhore P. S. Case No. 23 of 2020, dated 17.04.2020,

instituted for offences under Sections 302, 307, 341,

323, 147, 148 and 149 of the Indian Penal Code and

Section 27 of the Arms Act, 1959.

The brother of the informant is stated to have

been killed at the hands of the accused persons including



the petitioner.

The learned counsel for the petitioner however has stated that from the F.I.R., it becomes very clear that the petitioner has not been attributed with the act of assaulting the deceased. He is alleged to have assaulted the informant on his head by means of *Lathi* causing simple injuries on his person.

The petitioner is in custody since 17.04.2020.

Ms. Mukul Kumari, learned Advocate for the informant has, however, opposed the grant of bail on several grounds including that the petitioner was part of the mob and the entire family of the petitioner participated in the occurrence in which the brother of the informant died.

Regard being had to the nature of accusation and the period of custody of the petitioner, he is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned



Chief Judicial Magistrate, Aurangabad, in connection with
Jamhore P. S. Case No. 23 of 2020.

The petition stands allowed.

However, it is cautioned that in case the
petitioner tries to tamper with the evidence or threatens
the witnesses or does anything to impeded the process
of trial, his bail would be rendered liable to be cancelled.

If the case goes to trial, the absence of the
petitioner from the trial proceedings on two consecutive
occasions without obtaining the permission of the trial
court, his bail would be rendered liable to be cancelled.
In that event, necessary orders shall be passed by the
learned trial court for cancellation of the bail of the
petitioner.

(Ashutosh Kumar, J)

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