

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 37287 of 2020**

Arising Out of PS. Case No.-129 Year-2020 Thana- BIHARSHARIF District- Nalanda

MANISH KUMAR @ MANISH PANDEY Son of Amrendra Prasad Resident
of Village- Mahuabagh Mohammadpur, Police Station- Laheri, District-
Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Kanhaiya Prasad Singh, Sr Advocate with
M/s Anil Kumar Singh, Pratik Mishra, Advocates
For the Opposite Party/s : Mr Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

3 25-02-2021 Heard learned senior counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in Bihar Police Station (for
brevity, *PS*) Case No 129 of 2020 instituted for the offence
punishable under Sections 341, 342, 323, 307, 326, 302/34 of
Indian Penal Code and Section 27 of Arms Act.

Allegation is that the accused persons, during a
cricket match, has assaulted the victim leading to his death.

Learned senior counsel for the petitioner submits that
the prosecution case, attributing a dagger blow against the
petitioner, stands belied by the medical evidence wherein no
such sharp cutting injury has been found on the back of the
victim. On account of the various antecedents of the petitioner,
he has been falsely implicated in this case and is in custody
since 28.02.2020.

Learned APP has opposed the prayer for bail.



Considering the rival submissions, prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Nalanda at Bihar Sharif in Bihar PS Case No 129 of 2020 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

M.E.H./-

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