

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 37292 of 2020**

Arising Out of PS. Case No.-699 Year-2019 Thana- JAMUI District- Jamui

MANI YADAV @ MANISH Son of Narayan Yadav Resident of Village-
Chatthudhanua, P.S.- Jamui, and District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr Akash Raj, Advocate
For the State	:	Ms Pushpa Sinha, APP
For the Informant	:	M/s Mritunjay Kr, Narsingh Tanti, Advocates

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

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

The petitioner seeks bail in Jamui Police Station (for
brevity, *PS*) Case No 699 of 2019 instituted for the offence
punishable under Sections 147, 148, 149, 302, 120B of Indian
Penal Code and Section 27 of Arms Act.

As per prosecution case, co-accused Parmanand
Mandal and Alok Sao have taken away informant's father where
after he has been killed. The prosecution case further alleges
that on hearing the firing sound, when the informant rushed to
the place, he saw co-accused Sudhir Yadav, Kantu Mandal and
Pintu Kumar holding his father. The petitioner and other co-
accused persons have been seen carrying country made gun.



It is submitted by the petitioner's counsel that the petitioner has falsely been implicated by stating that he was having arms in his possession. The submission is total denial of the allegation. The petitioner, having no criminal antecedent, is in custody since 13.03.2020.

Learned counsel for the petitioner and the learned APP for the State have opposed the prayer for bail. It is submitted that the prosecution version has been supported by independent witnesses including the family members of the informant.

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, Jamui in Jamui PS Case No 699 of 2019 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)

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