

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.38787 of 2020**

Arising Out of PS. Case No.-110 Year-2019 Thana- KASHICHAK District- Nawada

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DHANRAJ MANJHI son of Gulan Manjhi Resident of Village- Chandinama,
Bhawanibigha, P.S.- Kashichak, District- Nawada

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar Verma,Advocate

For the Opposite Party/s : Mr.Anil Prasad Singh,APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

4 14-07-2021 Learned counsel for the petitioner undertakes to remove all the defects pointed out by the Stamp Reporter within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Anil Prasad Singh, learned APP for the State.

The petitioner in the present case is seeking regular bail in connection with Kashichak P.S. Case No. 110 of 2019 registered for the offences punishable under Section 302, 201 of the Indian Penal Code.

Learned counsel for the petitioner submits that as per the prosecution story, the informant got information that a dead body is lying in Khahri Aahar. On this information, he went there and found a dead body lying in rotten condition. Then the informant informed the S.H.O., Kashichak about it.

Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in the present case. It is submitted that in course of investigation the name of the petitioner has come on the confessional statement of co-accused Inderdev Manjhi who has already been granted bail by a learned Co-ordinate Bench of this Court in Cri. Misc. No. 65068 of 2019. The petitioner is in jail in connection with the present case since 24.07.2020 having no criminal antecedent.

Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein the submission of learned counsel for the petitioner that save and except the confessional statement of the co-accused Inderdev Manjhi in which the name of the petitioner has transpired, there is no other material to connect the petitioner having remained uncontroverted by learned APP for the State and on finding that the co-accused Inderdev Manjhi whose mobile connection was found in course of analysis of CDR of the victim person has already been granted bail by learned Co-ordinate Bench of this Court in Cri. Misc. No. 65068 of 2019 and the another co-accused has been enlarged on bail in Cri. Misc. No. 74746 of 2019, this Court directs release of the petitioner above named on bail on furnishing of bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1st, Nawada in connection with Kashichak P.S.



Case No. 110 of 2019, subject to the conditions as laid down under Section 437(3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which is suspected, and

(c) that such persons shall not directly or indirectly make and inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

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.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

