

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38178 of 2020

Arising Out of PS. Case No.-259 Year-2019 Thana- KAUWAKOL District- Nawada

Paro Manjhi aged about 35 years S/O Lakhan Manjhi Resident Of Village
Lalpur Ps Kawakole, District Nawada ... Petitioner

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner : Mr. Sheo Kumar Prasad, Advocate

For the Opposite Party : Mr. Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 05-02-2021 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case registered for the offence punishable under sections 302/201/120B of the Indian Penal Code.

As per the prosecution case, husband of the informant went to the village from her Maiké with the accused persons for taking money of Indira Awas Yojana but he did not return and next day his dead body was recovered buried in Chamainiya Dah river.

Learned counsel for the petitioner submits that though the petitioner and other accused persons were last seen with the victim, but there is no eye witness to the alleged occurrence. The case is based on the circumstantial evidence and no incriminating material has been collected against the petitioner during course of investigation. Similarly situated co-accused have already been allowed bail by a co-ordinate bench of this Court vide order dated 2.6.2020, passed in Cr.Mis.No. 16832 of



2020. Petitioner has got clean criminal antecedent and he is in custody since 20.8.2019.

In the facts of the case, prayer for bail of the petitioner is allowed. Let the petitioner mentioned above be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate 1st class, Nawada in Kawakole Police Station Case No. 259/2019 on 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 cancelled 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.

(Prabhat Kumar Singh, J)

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