

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1121 of 2021

Arising Out of PS. Case No.-217 Year-2015 Thana- RAJPUR District- Buxar

MANOJ RAM SON OF RADHESHYAM RAM RESIDENT OF VILLAGE-
NAGPUR, POLICE STATION- RAJPUR, DISTRICT- BUXAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sagar Suman

For the Opposite Party/s : Mr.Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 17-05-2021 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Rajpur P.S. Case No. 217
of 2015, registered for the offence punishable under Section
302/34 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, on 26.11.2015 at 7.20
pm, niece of the informant informed him that Mani Shankar
Pandey @ Papu Pandey (nephew) had been murdered at Paswan
Tola. The informant went at the place of occurrence and found
the dead body of his nephew. It is further alleged that some
unknown miscreants committed the murder of his nephew.

It is submitted on behalf of the petitioner that



petitioner is neither named in the FIR nor any incriminating article has been recovered from his possession. Name of this petitioner has come in this case on the confessional statement of co-accused. Petitioner is in custody since 18.06.2020 having no criminal antecedent.

Learned APP however, vehemently opposed the prayer for bail and submitted that petitioner has been absconding in this case for a period of four and half years and petitioner is one of accomplices. It is further submitted that petitioner has surrendered after processes under Section 82, 83 Cr.P.C have been issued against this petitioner.

Considering the facts aforesaid and the nature of allegation, I am not inclined to enlarge the petitioner above-named on bail at this stage. Accordingly, the same is rejected.

However, once charge is framed and trial is commenced, the petitioner shall be released on bail by learned trial court to its own satisfaction, and on the condition that 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled



by the court below.

With the aforesaid observation, this bail application
stands disposed of.

(Prabhat Kumar Singh, J)

vinita/-

U		T	
---	--	---	--

