

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10735 of 2021

Arising Out of PS. Case No.-83 Year-2019 Thana- RAGHOPUR District- Vaishali

Mantu Rai aged about 30 years Son Of Sri Nemdhari Rai Resident Of Village-Rushtampur, Tinpairiya (Saidabad), P.S.-Raghopur (Rushtampur O.P.), District-Vaishali.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Vijay Kumar Sinha, Advocate
For the Opposite Party : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 07-06-2021 This matter is taken up for consideration through
Video Conferencing.

Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case
registered for the offence punishable under sections 307/34 and
other allied sections of the Indian Penal Code.

Petitioner's prayer for bail was earlier refused by this
Court vide order dated 9.7.2020, Annexure 4. From perusal of
the report of the court below dated 12.4.2021, summons and
warrants have already been issued for ensuring appearance of
rest prosecution witnesses.



Learned counsel for the petitioner submits that the petitioner has been implicated in this case due to mala fide intention. Petitioner bears clean antecedent and he is in custody since 23.8.2019 though similarly situated co-accused Nemdhari Rai has already been allowed bail by a coordinate bench of this Court vide order dated 27.11.2019, passed in Cr.Misc.No. 69805/2019.

State counsel opposes the prayer for bail.

Considering the nature of allegation, clean antecedent of the petitioner, period of custody and the progress in the trial, 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 the Chief Judicial Magistrate, Vaishali at Hajipur in Raghapur Police Station Case No. 83 of 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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