

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9259 of 2021

Arising Out of PS. Case No.-24 Year-2020 Thana- SAHEBGANJ District- Muzaffarpur

MANISH KUMAR Son of Nand Kishore Yadav @ Nand Kishor Kumar
Resident of Village - Ahiyapur, P.S.- Sahebganj, Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mr.H.A. Khan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 08-09-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceeding.

The petitioner seeks bail in connection with Sahebganj
P.S. Case No.24/2020, registered for the offence punishable
under Sections 363, 366, 366 (A), 506/34, 302 and 201 of the
Indian Penal Code.

Allegation against the petitioner is that he and his family
members have kidnapped the daughter of the informant with
intention to kill.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has not committed any offence
as alleged in the FIR. No offence as alleged has ever taken
place. He has been falsely implicated in this case due to village
politics at the instance of his enemies. There is no evidence that



victim came out from the house to meet the petitioner or met him on the alleged date and time of occurrence. It has come in para-42 of the case diary from the CDR, that petitioner and victim have talked over call and through message several times. On 09.01.2020, he has talked with the victim i.e. at least 5 days ago from the date of death of deceased as according to the post mortem report, the deceased died on 14.01.2020. The petitioner has no criminal antecedent and has been languishing in custody since 22.01.2020.

Learned APP for the State opposed the prayer for bail.

Considering the facts and circumstances of this case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-I, Muzaffarpur, in connection with Sahebganj P.S. Case No.24/2020, subject to the following conditions:

(1) One of the bailors will be own close relative of the petitioner who will give on affidavit genealogy as to how he is relative to petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(2) The bailor shall also state on affidavit that he will



inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

(3) The petitioner shall remain physically present in the court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjani Kumar Sharan, J)

pallavi/-

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

