

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.28270 of 2022**

Arising Out of PS. Case No.-291 Year-2021 Thana- BAUNSI District- Banka

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MANI DAS @ BAGRU DAS @ BAGRU S/o Late Basudeo Das R/o village-  
Kushiyari, P.S.- Bounsi, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Sunil Kumar, Advocate

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

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      23-08-2022                      Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offence punishable under Section 302 of IPC.

The prosecution case, in short, is that the mother of the informant, namely, Bichhiya Devi was grazing cattle and during this course, the cattle went to the field of this petitioner due to which the petitioner killed the informant's mother by assaulting her with lathi and danda.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent and he has falsely been



implicated in the present case only on the basis of suspicion. He further submits that there is no eye witness of the alleged occurrence and only on the basis of suspicion the petitioner has falsely been implicated in the present case. Further submits that the police, after investigation, submitted chargesheet against the petitioner under Section 304 I.P.C. and other co-accused persons and postmortem report suggests that the Doctor has kept his opinion reserved regarding the cause of death of the deceased in awaiting FSL Report and the petitioner is in custody since 28.12.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Bounsi P.S. Case No.291 of 2021, with 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.

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.

**(Rajesh Kumar Verma, J)**

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