

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28626 of 2022**

Arising Out of PS. Case No.-46 Year-2019 Thana- CHAPRA MUFFASIL District- Saran

SAGAR MANJHI S/o- Jitan Manjhi R/o Village-Magai Dih, P.S. - Chapra
Mufassil, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anjani Parashar, Advocate

For the Opposite Party/s : Mr.Akhileshwar Dayal,APP

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

3 26-09-2022 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 the learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the offence under Sections 302/34 of the Indian Penal Code.

The prosecution case, is that, on 13.02.2019 co-accused Ganga Manjhi caught hold the deceased and this petitioner stabbed repeated knife on the stomach and chest of the deceased due to which the fell down and brought to the hospital where the Doctor declared him dead.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been



implicated in the present case. He further submits that the charge has been framed against the petitioner on 05.11.2019 and till date no witness has turned up for examination.

Vide order dated 24.08.2022, a report was called for with regard to the stage of the trial. Report dated 05.09.2022 reveals that till date no prosecution witness has been examine.

Learned counsel for the petitioner submits that in view of the report it appears that there is no chance of early conclusion of the trial in near future and the petitioner is in custody since 26.02.2019.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the fact 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 Chapra Mufassil P.S.Case No.46 of 2019 corresponding to Trial No.590 of 2019 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.

(3) 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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