

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29302 of 2022

Arising Out of PS. Case No.-62 Year-2020 Thana- SIWAIPATTI District- Muzaffarpur

Manish Kumar son of jiyalal sah resident of village - paigamberpur, p.s.-
Siwaipatti, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Rajpati

For the Opposite Party/s : Mr. Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-10-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Siwaipatti P.S. Case no. 62 of 2020 instituted for the offence under Sections 302/34 of the Indian Penal Code.

The prosecution case as per FIR is that the petitioner along with other accused persons used to pass comments on the daughter of the informant and they might have killed the daughter of the informant.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. There is no eye witness to the occurrence and only on suspicion, the petitioner has been implicated in this case. Moreover, for the occurrence of 06.06.2020, the FIR was lodged



on 7.06.2020. The postmortem report reflects the cause of death as asphyxia caused by strangulation, anti-mortem in nature. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Similarly situated co-accused has already been granted anticipatory bail vide order dated 15.06.2022 passed in Cr. Misc. No. 4627 of 2022.

Learned APP appearing for the state has opposed the prayer of anticipatory bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Siwaipatti P.S. Case no. 62 of 2020, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, POCSO Act, Muzaffarpur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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