

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33068 of 2022

Arising Out of PS. Case No.-76 Year-2021 Thana- BHADAUR District- Patna

Manish Kumar, Son of Nago Ram, Resident of Village - Chaksamiya, Police
Station- Ghoswari, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tej Narayan Singh, Advocate

For the Opposite Party/s : Mr. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 02-09-2022 Heard learned counsel for the petitioner and the

learned APP for the State through virtual mode in view of

COVID-19.

Let the defect(s) be removed within four weeks of the
complete start of the physical Court in normal course.

The petitioner is in judicial custody in connection
with Bhadaur P.S. Case No.76 of 2021 instituted under Section
302, 120(B)/34 of the Indian Penal Code and Section 27 of the
Arms Act.

As per the FIR, allegation has been made against
unknown accused of killing the husband of the informant,
Mantu Yadav.

In course of investigation, one Premlata Devi has
alleged that she was also in love with the deceased which was
rejected by accused Bittu and Manish Kumar (petitioner herein)



and it has further come in course of investigation that the deceased was also having illicit relationship with the mother of the petitioner which may have prompted him to take this extreme step.

Be that as it may, there is no eyewitness to the occurrence, the case hinges on the suspicion of the petitioner having grievance due to alleged relationship of the deceased with his mother, is a young boy of 20 years and has long way to go, is in custody since 04.01.2022, charge sheet stands submitted and ultimately he has to face the Trial, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Bhadaur P.S. Case No.76 of 2021 to the satisfaction of learned A.C.J.M., Barh, Patna, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reasons will entail cancellation of his



bail by the Trial court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Prakash Narayan /-

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