

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32536 of 2022

Arising Out of PS. Case No.-480 Year-2018 Thana- KHAJEKALA District- Patna

Md. Munnu @ Mannu @ Manawwar @ Md. Manawwar Alam Son of Late
Fakriuddin Resident of Village - Dabdab Tola Belwarganj New Road Nawab
Bahadur Road, P.S.- Khajekalan, District - Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate.

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 29-08-2022 The learned counsel for the petitioner is directed to re-

move all the defects pointed out by the Stamp Reporter within one

month.

Mr. Jay Ram Prasad, learned counsel for the petitioner
and Mr. Ganesh Prasad Singh, learned APP for the State are
present.

Petitioner seeks regular bail in connection with Kha-
jekalan P.S. case no. 480 of 2018 registered for the offences pun-
ishable under Sections 302, 120 (B), 34 of the Indian Code and
Section 27 of the Arms Act.

As per prosecution's allegation the petitioner and co-ac-
cused were habitually involved in selling narcotic material Smack
and on the alleged day of occurrence they took the informant's
husband with them and thereafter they murdered the informant's
husband by causing fire arm injury to him and the informant
claimed herself to have seen the alleged occurrence of murder and



she always stopped her husband from going with the petitioner and co-accused persons.

The main submissions advanced by Mr. Jay Ram Prasad, learned counsel for the petitioner are that in the present case informant and her son are stated to be the main witnesses of the alleged murder and they have been examined in Session Trial No. 740 of 2021 having arisen from the present case and both the said witnesses went hostile and did not support the allegation made in the FIR and considering this co-accused Dharmendra has been granted bail by co-ordinate bench of this Court vide order passed in Cr. Misc. No. 17908 of 2022 and the petitioner has been languishing in jail since 01.12.2020.

Mr. Ganesh Prasad Singh, learned APP has opposed the prayer for bail.

In view of the above submissions and mainly considering the deposition of witnesses of the prosecution which does not go against the petitioner and one co-accused carrying similar nature of allegation has been granted bail by co-ordinate bench of this Court vide order passed in above mentioned Cr. Misc. hence the petitioner also deserves to the said privilege, let the petitioner 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 concerned Court in connection with Khajekala P.S. case



No. 480 of 2018 on 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 below and shall remain physically present as directed by the Court below and on his absence on two consecutive dates without sufficient reason, his 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) One of the bailers shall be a close relative of the petitioner who has sworn affidavit in this miscellaneous petition.

(Shailendra Singh, J)

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