

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22124 of 2023

Arising Out of PS. Case No.-778 Year-2022 Thana- TEKARI District- Gaya

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ARUN KUMAR MANJHI @ ARUN MANJHI Son of Virendra Manjhi
Resident of village - Ijmail Balwapar, P.S.- Tekari, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Alka Panday, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 28-07-2023 1. Heard learned counsel for the petitioner, learned
counsel for the informant and learned Additional Public
Prosecutor for the State.

2. Petitioner seeks bail, who is in custody since
17.11.2022 in connection with Tekari P.S. Case No.778/2022,
dated 16.11.2022, for the offences punishable under Sections
364, 302/34 of the IPC.

3. According to prosecution case, the father of the
informant is owner of brick kiln and proceeded for market after
taking Rs.17,000/- from his Munsif but thereafter he did not
return home. The informant has apprehension that his father
might have been killed by someone.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that the



petitioner is not named in the F.I.R. The name of the petitioner has been transpired during investigation on the basis of confessional statement of the co-accused, namely, Satish Mishra and on the statement of co-accused, the dead body of the deceased was recovered and the allegation against the petitioner was the driver of Bolero vehicle, which was used in disposing of the dead body of the deceased. He further submits that it has come during investigation that the petitioner has not participated in the crime in question and only his vehicle was used in disposing the dead body of the deceased. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 17.11.2022.

5. Learned counsel for the informant as well as learned Additional Public Prosecutor for the State on the other hand vehemently opposed the prayer for bail of the petitioner and submits that there is sufficient material against the petitioner that he was involved in the crime in question.

6. Considering the aforesaid facts and circumstances, 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 the learned A.C.J.M.- 6, Gaya in connection with Tekari P.S. Case No.778/2022,



subject to 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 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. 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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