

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32030 of 2023

Arising Out of PS. Case No.-128 Year-2023 Thana- KAUWAKOL District- Nawada

Manoj Kumar @ Sanoj Kumar Son of Guru Prasad Yadav Resident Of
Village- Koniypar, P.S-Nawada In The District Of Nawada

... .. Petitioner/S

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar, Advocate
For the Opposite Party/s	:	Mr. Sanjay Kumar, Advocate
For the State	:	Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 07-07-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Kawakol
(Rupau) P.S. Case No. 128 of 2023 registered for the offence
under Sections 302, 201 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and
is in custody since 05.03.2023.

The allegation against this petitioner is to commit
murder of father of informant alongwith other unknown co-
accused persons by causing knife injury on the neck of father of
the informant.



Learned counsel appearing on behalf of the petitioner submitted that the name of petitioner surfaced during the course of investigation on the basis of his self confession and also on the confessional statement of apprehended co-accused, namely, Jitendra Kumar and Raju Kumar, where in furtherance of which no incriminating material recovered so as to connect petitioner, *prima facie*, with present occurrence of murder. It is submitted that petitioner implicated in present case only out of mobile tower location and call details reports, having otherwise no bearing over the merit of this case except suspicion. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation of this case is completed, for which charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as save and except self confession/confessional statement of co-accused and suspicion out of Mobile Tower Location, nothing incriminating appears against this petitioner during the course of investigation as to connect him with present occurrence of murder, coupled with the fact that charge-sheet



has already submitted, where petitioner is in custody since 05.03.2023, accordingly the petitioner, above named, is directed to be released on bail in connection with Kawakol (Rupau) P.S. Case No. 128 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st, Class, Nawada/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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