

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44123 of 2022

Arising Out of PS. Case No.-34 Year-2022 Thana- AUANGARI District- Nalanda

MANOJ MISTRI @ MANOJ KUMAR SON OF NAVAL MISTRI R/O
VILLAGE- KANHAIYAGANJ, P.S.- AUNGARI (PIR BIGHA O.P.),
DISTRICT- NALANDA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimal Kumar

For the Opposite Party/s : Mr.Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

5 01-02-2023 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Aungari
(Pir Bigha) P.S. Case 34/2022, registered for the offence
punishable under Sections 341, 323, 302, 504/34 of the Indian
Penal Code.

As per prosecution case, informant married with the
deceased in the year of 2009 and from their wedlock one son and
one daughter were born. It is alleged that in the year of 2013,
informant's wife started living separately from the informant and
she fall in love with this petitioner. It is further alleged that
deceased used to spent more times at Hilsa with her children and
Manoj Mistri (petitioner). On 28.04.2022, informant got



information on his mobile phone that his wife was killed by the petitioner and others.

Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. The petitioner is languishing in custody since 30.04.2022 and bears no criminal antecedent.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner and submits that the trial is in advance stage and only four witnesses are yet to be examined.

Considering the facts and circumstances of the case, since trial is in advance stage, I am not inclined to grant bail to the petitioner. Hence, prayer for bail of the petitioner stands rejected.

However, if trial is not concluded within six months from the date of receipt / production of copy of this order, the petitioner may renew his prayer for bail.

(Alok Kumar Pandey, J)

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