

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58021 of 2023

Arising Out of PS. Case No.-132 Year-2013 Thana- ASHTHAWAN District- Nalanda

Baudhu Manjhi son of Late Sant Manjhi Village- Dharampur Rustampur Ps-
Sarmera Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudish Kumar, Advocate

For the Opposite Party/s : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 20-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner seeks bail, who is in custody since 14.04.2023, in connection with Asthawan P.S. Case No. 132 of 2013, F.I.R. dated 07.09.2013 registered for the offences punishable under Sections 302 and 34 of the Indian Penal Code.

3. The F.I.R. of the occurrence of murder is against unknown.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case on the basis of the suspicion. He further submits that the police after investigation submitted final form in favour of the petitioner on Chargesheet No. 91 of 2016 dated 30.06.2016 and thereafter the learned Trial Court differing



the report of the police has taken cognizance vide order dated 29.11.2021 against the petitioner and other co-accused persons. The petitioner is in custody since 04.03.2023.

5. The learned Additional Public Prosecutor for the State, on the other hand, vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Biharsharif, Nalanda in connection with Asthawan P.S. Case No. 132 of 2013, 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 witness, 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 antecedents, 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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