

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69413 of 2022

Arising Out of PS. Case No.-291 Year-2014 Thana- NAUBATPUR District- Patna

Peru Manjhi Son of Sri Garivan Manjhi R/V- Dehuni Golakpur, P.S- Goshi,
Dist- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 21-06-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail who is in custody since
31.05.2022 in connection with Naubatpur P.S. Case No. 291 of
2014, F.I.R. dated 16.06.2014 for the offences punishable under
Sections 302 and 301 of the Indian Penal Code.

According to prosecution case, the police received an
information that an unidentified dead body was found near the
dam and the face of the dead body was also damaged.

Learned counsel for the petitioner submits that
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. and the name of the petitioner has been transpired on the basis of the Call Details Report and except the Call Details Report, no cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence. He further submits that the informant is not the eye witness of the alleged occurrence. He further submits that the police after investigation submitted the charge sheet against the petitioner. He further submits that similarly situated, co-accused, namely, Sanjay Kumar has been granted bail by a Co-ordinate Bench of this Court vide order dated 04.03.2015 passed in Cr. Misc. No. 3575 of 2015 and another co-accused, namely, Chunnu Sharma @ Dharmendra Kumar @ Chunnu Sharma has been granted bail by a Co-ordinate Bench of this Court vide order dated 28.01.2015 passed in Cr. Misc. No. 3490 of 2015. The petitioner is in custody since 31.05.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

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 Judicial



Magistrate-1st Class, Danapur, Patna in connection with Naubatpur P.S. Case No. 291 of 2014, 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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