

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67122 of 2022

Arising Out of PS. Case No.-45 Year-2020 Thana- KAUWAKOL District- Nawada

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Manoj Hansada S/O Mangru Hansada Resident of village- Chilkakhar, P.S.-
Sone, District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Man Mohan Kumar, Adv.

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 27-02-2023 Let the defect(s), if any, be removed within two weeks
from today.

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

The petitioner seeks regular bail in connection with
Kauwakole P.S. Case No. 45 of 2020 lodged under Sections
302/ 34 of the I.P.C. read with Sections 25(1-b)a/ 26/ 27 of the
Arms Act.

As per the allegation made in the F.I.R. that informant
received an information on his mobile about murder of his
father. On reaching there, he found that his father was shot dead
by injury on his head. Informant further states that on
17.04.2019, another occurrence took place where 5 shots were
fired on his father by the accused persons and some of whom

are arrested and some escaped.

Learned counsel for the petitioner submits that there are in total 7 criminal cases pending against the petitioner in addition to the present one. In 5 of the cases, he was acquitted and in 2 cases, he is on bail. Counsel further submits that petitioner is in custody since 28.01.2022. Counsel further submits that petitioner is not named accused in the present case rather his name has come in this case by virtue of a confession made by co-accused, namely, Bhushan Yadav. Counsel submits that the said Bhushan Yadav and other similarly situated co-accused as likely that of present petitioner have been granted bail by the Co-ordinate Bench of this Court vide Annexure-3.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Nawada in connection with Kauwakole P.S. Case No. 45 of 2020, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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