

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80404 of 2023

Arising Out of PS. Case No.-75 Year-2022 Thana- NAYAGAON District- Begusarai

Manjesh Kumar Son Of Ramakant Singh Resident Of Village - Ramdiri, Ward
No.3, P.S. - Matihani, District – Begusarai Petitioner
Versus

The State Of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey, Advocate
For the Opposite Party/s : Mr.Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 20-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Nayagaon P.S. case No.
75 of 2022 instituted for the offences under Sections 302,
120(b), 34 of the Indian Penal Code and Section 27 of the Arms
Act.

3. Prosecution allegation, in short, is that all the F.I.R.
named accused persons committed murder of the father of the
informant.

4. It has been submitted on behalf of the petitioner that
the petitioner is in custody since 01.09.2023 and has three
criminal antecedents in which he is on bail. The petitioner has
falsely been implicated in the present case. The petitioner is not
named in the F.I.R.. From perusal of the order passed by the
Court below, it appears that the Court below has mentioned in



the order that name of the petitioner has transpired during the course of investigation on the statement of spy of the police recorded in paragraph 53 of the Case diary. Learned counsel for the petitioner submits that the petitioner has himself surrendered in the Court below and similarly situated co-accused was granted anticipatory bail by a Coordinate Bench of this Court vide order dated 22.08.2023 passed in Cr. Misc. No. 48637 of 2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and that the similarly situated co-accused was granted anticipatory bail by a Coordinate Bench of this Court, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Nayagaon P.S. case No. 75 of 2022.

(Rudra Prakash Mishra, J)

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