

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2855 of 2023

Arising Out of PS. Case No.-373 Year-2022 Thana- MUNGER MUFFASIL District- Munger

MANAS RAJ S/O NAND LAL KUMAR @ NANDLAL KUMAR YADAV
Resident of Village- Gayatri Nagar (Purab Sarai), P.S.- Kotwali, District-
Munger.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Kamal Nayan, Adv.

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 23-06-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since
16.10.2022 in connection with Muffasil P.S. Case No.373/2022,
F.I.R. dated 15.10.2022, for the offences punishable under
Sections 302, 120B, 34 of the IPC & Section 27 of the Arms
Act.

According to prosecution case, the informant got
information that his son Deepak Jha was called by the petitioner
and co-accused, namely, Manohar Yadav @ Munna to Shiv
Guru Dham and they were waiting with some friends. It is
alleged that as soon as his son reached, the accused persons after
shooting him ran away.

Learned counsel for the petitioner submits that the



petitioner has clean antecedent and he has falsely been implicated in the present case merely on the basis of suspicion. He further submits that the informant is not an eyewitness of the alleged occurrence and except suspicion, no other cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence. He further submits that it has come during investigation that co-accused Munna Yadav called upon the deceased and the petitioner and co-accused have committed murder of the deceased. He further submits that no one has seen the present occurrence and similarly situated co-accused, namely, Manohar Yadav @ Munna has been granted bail by this Court vide order dated 22.06.2023 passed in Cr. Misc. No.9447/2023. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 16.10.2022.

Learned Additional Public Prosecutor for the State on the other hand 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 C.J.M.,
Munger in connection with Muffasil P.S. Case No.373/2022,
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)

amit/-

U		T	
---	--	---	--

