

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48842 of 2024

Arising Out of PS. Case No.-135 Year-2020 Thana- HARSIDHI District- East Champaran

Manoj Singh Son of Late Yamuna Singh Resident of Vill- Kanchhedwa, P.S.-
Harsidhi, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lallan Kumar Verma, Advocate

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 22-11-2024 Heard Mr.Lallan Kumar Verma, learned counsel

for the petitioner and Mr.Pawan Kumar Chaurasia, learned

A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
04.04.2024 in connection with Harsidhi P.S. Case No. 135 of
2020, F.I.R. dated 19.04.2020 registered for the offence
punishable under Sections 302,201,120B/34 of IPC.

3. According to prosecution case, in brief, is that it
is a case of triple murder in which suspicion has been raised
against co-accused Nisha Singh @ Nisha Devi and other co-
accused persons who are agnates of the deceased on the ground
that they were having litigation and pressuring the deceased to
compound the case lodged against the petitioner.



4. Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. Further submits that from a bare perusal of the FIR it appears that the date of occurrence as alleged in the FIR is 17.04.2020 and the present FIR has been instituted on 19.04.2020 after recovery of the dead body of the deceased persons. Learned counsel for the petitioner next submits that the petitioner was in judicial custody in connection with Harsidhi P.S.Case No.54 of 2007 since 25.06.2007 and he has been granted bail by Division Bench of this Hon'ble Court vide order dated 28.03.2023 passed in Cr. Appeal (DB)No.768 of 2022 and the petitioner has been made accused in the present case merely on the ground that the petitioner is agnates of the informant and no other cogent material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 04.04.2024.

5. Learned APP for the State has opposed the prayer



for bail of the petitioner and submits that the petitioner carries four more cases other than the present one.

6. Considering the aforesaid fact, 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 learned J.M. 1st Class, East Champaran at Motihari in connection with Harsidhi P.S. Case No. 135 of 2020, with the following conditions:-

(I) 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) 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.

(III) 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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