

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71269 of 2024

Arising Out of PS. Case No.-123 Year-2022 Thana- PIRI BAZAR District- Lakhisarai

Manish Kumar @ Shoshan Son of Late Anil Singh Village -Shivkund, PS-
Hemzapur, Dist- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parmanand Prasad, Adv.

For the Opposite Party/s : Mr.Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with a case registered for the offence punishable u/s 363/34 of the IPC and subsequently sections 364, 302, 201, 120(B) IPC was added.

3. Earlier twice the anticipatory bail application of the petitioner was rejected by this Court. The petitioner, who is in custody since 05.08.2024, is now before the Court for grant of regular bail.

4. The F.I.R. named accused persons including the petitioners are alleged to have killed the informant's son.

5. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has not committed any offence as alleged in the FIR. No such occurrence in the manner as



alleged has ever taken place. He has been falsely implicated in this case due to ulterior motive. There is no eye-witness to the alleged occurrence and he has been made accused in this case on the basis of confessional statement of the co-accused. The petitioner has no criminal antecedent and is in custody since 05.08.2024. Similarly situated co-accused has been granted bail by a co-ordinate Bench of this case vide order passed in Cr. Misc. No.70366 of 2022 dated 11.07.2023.

6. Learned APP for the State opposed the prayer for bail.

7. Considering the facts and circumstances of this case, since the similarly situated co-accused has been granted bail, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/the Successor Court, in connection with Piri Bazar P.S. Case No.123/2022, subject to the following condition(s):

(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 steps 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.

(Anjani Kumar Sharan, J)

pallavi/-

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

