

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83716 of 2023

Arising Out of PS. Case No.-267 Year-2020 Thana- PHULWARIYA District- Gopalganj

MANOJ PANDIT @ MANOJ PANDEET S/o Late Vishwanath Pandeet R/o
village-Sawanahi Patti (Tola Bhanpur), P.S-Phulwariya, District-Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Shahi

For the Opposite Party/s : Mr.Rajendra Prasad Nat

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 21-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 302 of the Indian Penal Code.

3. Allegation against the petitioner is to commit murder of the informant's wife namely, Meena Devi. The petitioner is brother of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. According to the prosecution case, the petitioner was seen by the informant only while running away from the scene of the occurrence, thereafter suspicion was raised against the petitioner and he was



implicated in the case. The informant is not eye witness to the alleged occurrence. The petitioner and the informant are own brothers and there is worse relationship between them since long. The petitioner has got no criminal antecedent as stated in para-3 of the bail petition.

5. In pursuance to the direction of this court, a report dt. 20.1.2024 with regard to present stage of trial has been received in which it is mentioned that four witnesses have been examined as yet out of total ten witnesses.

6. It is further submitted by learned counsel for the petitioner is that there is no hope to conclude the trial in near future and the petitioner is languishing in judicial custody since 1.11.2020.

7. Learned APP appearing for the state has opposed the prayer of regular bail.

8. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody period, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Phulwariya P.S. Case No. 267 of 2020 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned



Additional District and Sessions Judge-3, Gopalganj subject to following conditions:-

(i) the petitioner shall co-operate in the trial and shall be present on each and every fixed date and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(ii) If the petitioner hampers the witnesses or tamper with the evidence, his bail bonds will be cancelled by the Court below.

(Sunil Kumar Panwar, J)

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