

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13823 of 2025**

Arising Out of PS. Case No.-371 Year-2024 Thana- BAKHARI District- Begusarai

Manjeet Patel S/o Late Ram Bilash Patel R/o vill - Sugga, P.S- Bakhri, Distt.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Advocate
: Mrs. Vaishnavi Singh, Advocate
: Mr. Ritwik Thakur, Advocate
: Mr. Purushottam Kumar, Advocate
For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 28-07-2025 Heard Mr. Ajay Kumar Thakur, learned counsel for the petitioner and Mr. Md. Mushtaque Alam, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Bakhri P.S. Case No. 371 of 2024, F.I.R. dated 23.09.2024 for the offences punishable under Sections 103(1), 61(2) of the Bhartiya Nyay Sanhita, 2023.

3. As per the First Information Report, the informant alleged that the petitioner along with other co-accused persons committed the murder of his father-in-law, namely, Fulena Mahto (now, deceased).

4. Learned counsel for the petitioner submits that



petitioner is innocent and he has falsely been implicated in the present case and infact the petitioner is not the eye witness of the present occurrence and even no one had seen the alleged occurrence and only on the basis of suspicion the petitioner and other co-accused persons have been implicated in the present case. Although the inquest was prepared by the police on 22.09.2024 but no one has stated before the police that the petitioner along with other co-accused persons were involved in the present crime in question and FIR was instituted on 23.09.2024 and it has come during investigation that there is land dispute between the parties and similarly situated co-accused person, namely Naresh Mahto @ Naresh Singh @ Naresh Kumar Singh has been granted the privilege of anticipatory bail by the co-ordinate Bench of this Court vide order dated 12.05.2025 in Cr. Misc. No. 11233 of 2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner but fairly submits that the informant is not the eye witness of the present occurrence and even no one is the eye witness of the present occurrence. He further submits that the involvement of the petitioner has come during investigation which is recorded in paragraph nos.27 and 28 of the case diary and apart from that



the petitioner carries one criminal antecedent other than the present one in which he is on bail.

6. Considering the aforesaid facts and circumstances, similarly situated co-accused person has been granted the privilege of anticipatory bail by the co-ordinate Bench of this Court and informant is not the eye witness of the present occurrence and except the suspicion, no other material has come during investigation which suggest the involvement of the petitioner in the present occurrence , let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 Chief Judicial Magistrate, Begusarai in connection with Bakhri P.S. Case No. 371 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other 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 absence on two consecutive dates without sufficient



reason, his 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 bond 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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