

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27539 of 2025

Arising Out of PS. Case No.-38 Year-2023 Thana- DIGHALBANK District- Kishanganj

Manarul Haque @ Manarul S/O Azad Ali Resident of - Binod Para Kajia,
Ward No.2, PS- Dighalbank, Dist.- Kishanganj. Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kumar, Advocate
For the Opposite Party/s : Mr.Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 06-08-2025 Heard Mr. Raj Kumar, learned counsel appearing on
behalf of the petitioner and Mr.Vinod Shanker Modi, learned
APP for the State.

2. Petitioner seeks regular bail in connection with S.
T. No.153 of 2023 arising out of Dighalbank P.S. Case No. 38 of
2023 registered for the offences punishable under Sections
302/34 of the Indian Penal Code.

3. As per the allegation made in the FIR, the
petitioner, who is the husband of the deceased, along with other
family members have committed murder of the niece of the
informant.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is in custody since
01.03.2023 just two days after the FIR was lodged against him.
It is further submitted that out of 14 witnesses, only 3 have been
examined. From perusal of the allegation made in the FIR, it



appears that the same is general and omnibus. Some of the co-accused have been granted regular bail by a co-ordinate Bench of this Court vide Annexure P/2, who are also family members of the petitioner. Petitioner has four children from the said wedlock and he is to look after them. On these grounds, petitioner seeks to be released on regular bail in view of the fact that there is every likelihood that in course of trial the petitioner may be acquitted.

5. Learned APP appearing for the State opposes the bail prayer.

6. Having considered the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the FIR and the material which has surfaced in course of investigation, altogether five members of a same family has been made accused including the petitioner, who is the husband of the deceased. General and omnibus allegation has been levelled against the petitioner, who is having clean antecedent. Petitioner has four children and he is required to look after them. The learned District Court is directed to release the petitioner, above named, on bail upon furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge,



Kishanganj in connection with S. T. No.153 of 2023 arising out of Dighalbank P.S. Case No. 38 of 2023 subject to the following conditions:

(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(iii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(iv) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bond.

(v) The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

Sanjay/-

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