

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67900 of 2024

Arising Out of PS. Case No.-163 Year-2020 Thana- THARTHARI District- Nalanda

Manoj Paswan Son of Baleshwar Paswan R/O-Village- Amera Kharjamma,
P.S.- Tharthari, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Krishna Jha, Advocate
For the State : Mr.Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 23-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. This is the second attempt for bail of the petitioner as earlier such prayer was rejected by order dated 28.07.2023 in Cr. Misc. No. 46624 of 2023.

3. The petitioner seeks bail in connection with Tharthari P.S. Case No. 163 of 2020 registered for the offence punishable under Sections 447, 341, 323, 307, 379 and 504/34 of the Indian Penal Code to which later on Section 302 of the Indian Penal Code was added.

4. As per the F.I.R., the accused persons including the petitioner came with lathi and danda, abused and assaulted the informant, who subsequently died during the course of treatment.



5. It has been argued by learned counsel for the petitioner that in the trial two witnesses have been examined and both the witnesses have not supported the prosecution case. He further submits that for the last about three months, no witness has been examined. The petitioner is in jail since 10.02.2022.

6. Learned APP for the State has opposed the prayer for bail and has submitted that the trial has started and, therefore, the petitioner does not deserve bail.

7. Considering the fact that the petitioner is in jail for about three years, the witnesses examined have not supported the prosecution case and the fact that no witness has been examined for the last three months, this application is allowed.

8. Let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-1st, Hilsa (Nalanda) in connection with Tharthari P.S. Case No. 163 of 2020, subject to the condition that the petitioner will co-operate in the trial.

9. As a condition of this order, the petitioner, after being released on bail is directed to co-operate in the trial either by appearing personally or through his lawyer in the trial Court on each and every date fixed by the trial Court. Noncompliance



of the condition will result in cancellation of the bail bonds of
the petitioner.

(Sandeep Kumar, J)

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