

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68492 of 2024

Arising Out of PS. Case No.-194 Year-2024 Thana- RAJPUR District- Buxar

Manoj Kumar Singh @ Manoj Kumar Son of Birendra Singh Village-
Rampur, Ps- Rajpur, Dist- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Dr. Kamal Deo Sharma, Advocate
For the State	:	Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 10-01-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Rajpur PS Case No. 194 of 2024 for the offences punishable under Sections 302, 120(B)/34 of the Indian Penal Code, lodged on 24.06.2024 by the informant, Jagdish Singh.

3. As per the prosecution story, the informant alleged that his son had gone to the pond to feed the fish but he failed to return and as the call was also not answered, they went searching and found his dead body, as they had reasons to believe about the conspiracy theory of Sonamati Devi with her son-in-law, Chhatthu Lal Singh and other family members, on the belief that they have killed him, the FIR/arrest.

4. Learned counsel for the petitioner submits that only because of previous enmity, the petitioner along with others have been made accused. In the entire case diary, no one has seen the



actual occurrence and/or has made any accusation further, one of the co-accused namely Birendra Singh has been granted relief in Cr. Misc. No. 58630 of 2024.

5. Learned counsel for the informant on the other hand submits that earlier also the accused person made failed attempt to kill the innocent and this time they succeeded.

6. However, upon query, whether during the investigation anything has come against these accused persons, the answer is negative.

7. Having gone through the facts of the case and the submissions put forward by the parties, though death has taken place, charge-sheet submitted, cognizance already taken, the accused persons will be facing the trial, in view of the fact that nothing has come against the petitioner in the case diary, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

8. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar, in connection with Rajpur PS Case No. 194 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as



also with the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

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