

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76975 of 2024

Arising Out of PS. Case No.-97 Year-2024 Thana- Patarghat District- Saharsa

Mani Kumar S/O Rabin Yadav R/O Village- Bishanpur, P.S- Patarghat and
Distt.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Singh, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 10-01-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Patarghat P.S. Case No. 97 of 2024 instituted for the offences
under Sections 120B, 302, 34 of the Indian Penal Code.

3. Prosecution case, in short, is that the brother of the
informant was done to death by the FIR named accused persons
and other unknown persons.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Petitioner is not named in the F.I.R. The name of the petitioner
transpired in this case during investigation on the basis of
disclosure made by local people. Learned counsel for the



petitioner submitted that no specific overt act is alleged against the petitioner. Learned counsel further submitted that there is no eye-witness to the occurrence, the informant is also not an eye-witness. Learned counsel further submitted that except the confessional statement of the petitioner there is no material against him, and that too, has no evidentiary value in the eye of law. The co-accused person has already been granted bail by this Court vide order dated 21.11.2024 passed in Cr. Misc. No. 71172 of 2024. It has been submitted on behalf of the petitioner that the petitioner is in custody since 11.06.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP further submitted that from perusal of the case diary, it appears that several witnesses have supported the case of the prosecution and therefore, the involvement of the petitioner in the commission of murder of the deceased cannot be denied and, therefore, learned APP prays that the petitioner may not be released on bail.

6. Considering the aforesaid facts and circumstances of the case, no cogent material against the petitioner as also the period of custody undergone by the petitioner, this Court is



inclined to grant bail to the petitioner.

7. Let the petitioner 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 Court below/concerned Court in connection with Patarghat P.S. Case No. 97 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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