

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87388 of 2024

Arising Out of PS. Case No.-425 Year-2021 Thana- BELHAR District- Banka

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Mannu Kumar S/o- Upendar Chaudhary Village- Ghogha, Police Station-
Belhar, District-Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate

For the Opposite Party/s : Mr. Madan Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-01-2025 Heard Mr. Ajay Mukherjee, the learned Counsel for

the petitioner and Mr. Madan Kumar, the learned Additional

Public Prosecutor for the State.

2. Petitioner seeks regular bail who is in custody
since 17.12.2021, in connection with Belhar P.S. Case No. 425
of 2021, FIR dated 16.12.2021, registered for the offences
punishable under Section 302 of the Indian Penal Code.

3. Earlier the petitioner has moved for bail before
this Hon'ble Court in Cr. Misc. No. 10909 of 2023, which was
rejected vide order dated 13.07.2023.

4. Allegation against the petitioner is that he
strangled his wife to death.

5. Learned Counsel for the petitioner submits that
the allegation as alleged in the F.I.R. is false and fabricated and



the petitioner has not committed any offence as alleged in the F.I.R. Although the petitioner is named in the F.I.R. and in fact the marriage was solemnized fifteen years ago with the deceased and trial has begun and out of ten charge sheet witnesses, three witnesses have been examined and witness no. 3 who happens to be the informant of this case has been examined and he has not supported the case of prosecution. The petitioner is in custody since 17.12.2021 more than three years.

6. The learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

7. Considering the facts and circumstances of the case and the period of custody, let the petitioner, above-named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten Thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-III, Banka/Successor Court, Banka in connection with S.T. No. 253 of 2022 arising out of Belhar P.S. Case No. 425 of 2021, subject to the following conditions:

(i). Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the learned trial Court and shall remain physically present as



directed by the learned trial Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the learned trial Court.

(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 learned trial Court 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 learned trial Court shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds 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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