

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.31879 of 2021**

Arising Out of PS. Case No.-173 Year-2019 Thana- NAGARNAUSA District- Nalanda

Manu Prasad @ Mannu Yadav Son of Late Hira Singh Resident of Village-  
Salempur, Police Station- Nargarnausa, District- Nalanda.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate  
For the Opposite Party/s : Mr. Ranjit Ranjan, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

3      23-12-2021                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner seeks regular bail in connection with  
Nagarnausa P.S. Case No. 173 of 2019 instituted for the  
offences under Sections 302 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the  
petitioner is in custody since 19.09.2020 and charge-sheet has  
been submitted in the case.

Learned counsel for the petitioner submits that from  
bare perusal of the allegation as alleged in the F.I.R. it would  
manifest that the informant alleges that he along with his son  
Kamlesh Kumar (deceased) and nephew Nilesh Kumar were  
working at their *khalihan* and when they returned to their home  
in the evening one Sanjeet Kumar and Sunil Kumar came to the



house of the informant at about 7.00 pm and asked his son to accompany them and when the son did not return to the house in the night, the informant went to the house of Sanjeet Kumar to verify about the whereabouts of his son but his father, Mithilesh Kumar said that he has not come back to his house. It is further alleged that on 29.12.2019 a villager Gorka came to the house of the informant and informed that his son has been killed by unknown persons and accordingly he went to the place of occurrence where he saw the dead body of his son whose throat was slit accordingly it is alleged based on suspicion that the named accused persons have killed the son of the informant.

Learned counsel for the petitioner submits that the petitioner is not named in the F.I.R. and the informant in his restatement at paragraph '9' of the case diary merely states that he came to know subsequently that this petitioner was also instrumental in committing the occurrence along with other accused persons. Learned counsel further submits that apart from this there is nothing in the case diary which could even remotely connect the petitioner with the offence. Learned counsel for the petitioner submits that co-accused Sanjeet Kumar has been granted bail vide order dated 23.12.2021 in Cr. Misc. No. 23018 of 2021.



Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody since 19.09.2020, is not named in the F.I.R., co-accused has been granted bail and charge-sheet has been submitted in the case, 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 learned 2<sup>nd</sup> Additional Sessions Judge, Hilsa, Nalanda in connection with Nagarnausa P.S. Case No. 173 of 2019.

**(Satyavrat Verma, J)**

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