

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.43058 of 2015

Arising out of PS.Case No. -46 Year- 2015 Thana -THAWE District- GOPALGANJ

Pradeep Kumar Manjhi, son of Babunand Manjhi, resident of village- Bedu Tola, Thawey, Police Station- Thawey, District- Gopalganj.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Lokesh Kumar Singh, Advocate.

For the Opposite Party : Mr. Narendra Kumar Singh(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 15-10-2015 Heard learned counsel for the petitioner and learned counsel for the State

The petitioner is languishing in custody since 03.08.2015 in connection with Thawe P.S. Case No. 46 of 2015 for the offences instituted under Sections 341, 323, 307 and 504/34 of the IPC.

The prosecution story, in brief, is that a quarrel took place between the son of the informant and accused Raj Kumar Manjhi for which a Panchayati took place in which accused Babunand Manjhi and his wife started hurling abuses to the informant and her husband. When her husband protested the same, the accused Babunand Manjhi gave order to kill her husband on which the petitioner alongwith other co-accused started assaulting

her husband. The allegation against the petitioner is that with intention to kill her husband the petitioner assaulted by means of iron-rod over the head of her husband causing head injury to him and repeated the assault by rod which the near the eye of her husband. The accused persons fled away after assaulting her husband.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. The petitioner is in custody since 03.08.2015 and the charge sheet has been submitted in the case. There is no allegation of tampering with the evidence against the petitioner. No deadly weapon is said to have been used in the occurrence. There is an admitted enmity between the parties. The petitioner has falsely been implicated in the present case. It is further submitted that the petitioner may be released after completion of seven months in custody from 03.08.2015.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner may be released on bail after completion of seven months in custody from 03.08.2015 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned

C.J.M., Gopalganj, in connection with Thawe P.S. Case No. 46 of 2015.

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(Sudhir Singh, J)

