

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1531 of 2015

Arising Out of PS.Case No. -61 Year- 2014 Thana -MAGADH UNIVERSITY District- GAYA

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Surajdeo Manjhi, Son of Ramswaroop Manjhi, Resident of the Village –
Arjun Bigha, P.S. – Magadh University (Bodh Gaya) at District Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Advocate.

For the Opposite Party/s : Mr. Ram Shankar Das (Spl.Pp)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 14-01-2015

Heard both sides.

The petitioner apprehends his arrest in Magadh University P.S. Case No. 61 of 2014, registered for the offences punishable under Section 302 and other Sections of the Indian Penal Code.

Chandan Manjhi named the petitioner and alleged that the accused persons assaulted him with fists and slaps. When his father came to stop the petitioner and other accused persons also assaulted Munshi Manjhi, Munshi Manjhi fell down. Thereafter Bhola Manjhi, Umesh Manjhi and Surendra Manjhi pressed the entire body of Munshi Manjhi. Consequently, Munshi Manjhi became unconscious and died during course of treatment.

Learned counsel for the petitioner submits that there is no specific allegation against the petitioner. The inquest report

also show that the deceased died on account of assault but no apparent injury was found on the body of the deceased. It is further submitted that the case has been compromised.

It appears from the record that the petitioner along with other accused persons alleged to have assaulted the deceased with fists and slaps and only thereafter Munshi Manjhi fell down on the ground, thereafter, three accused persons Bhola Manjhi, Umesh Manjhi and Surendra Manjhi pressed the body of Munshi Manjhi and he became unconscious.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

However, the petitioner, if so advised, may surrender before the court below and pray for regular bail and his prayer shall be considered on its own merit without being prejudiced by this order and dispose of on the same day.

(Prabhat Kumar Jha, J.)

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