

Arising Out of PS.Case No. -29 Year- 2014 Thana -KOCH District- GAYA

.... Petitioner/s

The State of Bihar

.... Opposite Party/s

Criminal Miscellaneous No.6871 of 2015

Arising Out of PS.Case No. -29 Year- 2014 Thana -KOCH District- GAYA

.... Petitioner/s

The State of Bihar

.... Opposite Party/s

(In Cr.Misc. No.47773 of 2014)

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Binod Kumar (A.P.P.)

(In Cr.Misc. No.6871 of 2015)

For the Petitioner/s : Mr. Prithivi Raj Singh

For the Opposite Party/s : Mr. Shardanand Jha(A.P.P.)

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

03 24-03-2015 Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor.

Cr. Misc. No.47773 of 2014 wherein Ramashish Manjhi is the petitioner as well as Cr. Misc. No.6871 of 2015 wherein Satan Manjhi is the petitioner commonly originate out of Konch P. S. Case no.29 of 2014, on account thereof, have been heard together and are being disposed of by a common order.

Deceased, Karu Manjhi was done to death on



account of which, Gaya Manjhi, one of his son gave his fard-beyan whereupon instant case has been registered. In the fard-beyan itself, suspicion has been shown against these two petitioners along with Bhukhal Manjhi, Jagdish Manjhi, Nepal Manjhi, Kamta Manjhi in the background of some sort of suspected activities of deceased relating to occult signs.

It has been submitted on behalf of petitioners that none is an eye witness to occurrence. Furthermore, for such trivial issue even considering the prosecution version, it is not expected that petitioners along with others will indulge in such kind of nefarious activities. Furthermore, one of co-accused Jagdish Manjhi had already been granted bail vide Cr. Misc. No.6369 of 2015. Hence, petitioners should be released on bail.

On the other hand, learned Additional Public Prosecutor opposed the prayer.

During course of investigation, wife of deceased has been examined under Para-8 wherein she had categorically stated that petitioner Satan Manjhi had invited the deceased to have wine and on that very score, deceased left in company of Satan Manjhi. Furthermore, from Para-11, statement of Umesh Manjhi is visible whereupon it is apparent that while he had gone to the house of Jagdish Manjhi to consume liquor, he saw Jagdish Manjhi, Satan

Manjhi, Ramashish Manjhi, Karu Manjhi, Teni Manjhi jointly consuming liquor and during course thereof, Satan Manjhi had objected over activity of deceased followed with ruckus wherein deceased was assaulted and during course thereof, Teni Manjhi had pierced *Chhura*. Seeing this, Umesh Manjhi ran there from. Subsequently thereof, dead body of deceased Karu Manjhi was found in a wheat crop away from the house of Jagdish Manjhi. Presence of Satan Manjhi since before speaks a lot.

On account thereof, prayer of petitioner **Satan Manjhi** for bail is rejected at the present moment. If trial is not concluded within six months, then in that event, petitioner **Satan Manjhi** will be at liberty to renew his prayer.

So far petitioner **Ramashish Manjhi** is concerned, he is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Mr. Piyush Kumar Srivastava, learned Judicial Magistrate, 1st Class, Gaya/ successor in office, in connection with Konch P. S. Case no.29 of 2014.

(Aditya Kumar Trivedi, J)

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