



IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47868 of 2015

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

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1. Umesh Manjhi Son of Late Bandhu Manjhi Resident of village - Arjun
Bigha, P.S. Magadh University, District - Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha

For the Opposite Party/s : Mr. Sadanand Paswan(Spl.Pp)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 18-01-2016 Heard the learned counsel for the petitioner, the

learned A.P.P. as also learned counsel for the informant.

The petitioner seeks bail in a case for the offences
punishable under sections 147, 149, 341, 323, 325, 302 and 504
of the I.P.C, section 3 (2) (V) of SC/ST (Prevention of Atrocity)
Act, as also section 4 of Witch Protection Act.

Allegedly, for practicing witchcraft Munshi Manjhi,
the father of the informant, was called by the petitioner and other
co-accused for panchayati where he was abused and when the
informant objected the accused persons started assaulting the

informant and when Munshi Manjhi came for rescue he was assaulted by fat and slap and when he fell down the petitioner and two co-accused climbed on his body and brutally pressed causing his death.

Submission is of false implication and that the informant with oblique motive has lodged this case, his father was assaulted by the villagers but the informant has named the petitioner and others, other co-accused have been allowed pre-arrest bail and regular bail and as such the petitioner also deserves sympathetic consideration as he is suffering in custody since 20.08.2015 having no criminal antecedent.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes prayer for bail by submitting that the case of the petitioner is on different footing as he and co-accused Bhola Manjhi and Surendra Manjhi brutally pressed the body of the informant after climbing on him and the doctor has also found the cause of death due to the said injury.

In the facts and circumstances as stated above, considering the allegation attributed against the petitioner, serious in nature, this Court is not inclined to enlarge the petitioner on bail and according his such prayer stands rejected in connection with Magadh University P.S. Case No. 61 of 2014 pending in the court

of S.D.J.M. Gaya.

However, the trial court is directed to expedite the trial and to conclude the same as early as possible preferably within nine months

(Jitendra Mohan Sharma, J)

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