

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55145 of 2015

Arising Out of PS.Case No. -8 Year- 2015 Thana -GHOSI District- JEHANABAD

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Mithilesh Manjhi, Son of Jaihal Manjhi, Resident of village- Anantpur,
Police Station- Ghoshi, District- Jehanabad.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Syed Asgher Najmi

For the Opposite Party : Mr. Arun Kumar Singh No.-5 (App)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 11-02-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner is accused in connection with Ghosi
P.S. Case No. 08 of 2015, registered under Section 341, 323, 504,
307/34 and 302 of the Indian Penal Code.

The prosecution case is that Tushan Manjhi, brother of
the informant Umesh Manjhi came in intoxicated condition and
started abusing the petitioner for partition of the house. Thereafter,
petitioner started assaulting to Tushan Manjhi by means of lathi
and Bechan Manjhi, son of petitioner, also started cause to assault
Tushan Manjhi. In course of assault, petitioner gave lathi blow on
the head of Tushan Manjhi on which he become injured, when
informant rushed to save his brother, he was also sustained injuries
and due to cold and late night, on 14.01.2015 at about 05.00 A.M.

the injured was rushed to Okari O.P. from where, he was sent to Primary Health Centre for treatment and thereafter after treatment F.I.R. was lodged, but latter on, injured Tushan Manjhi died.

Learned counsel appearing on behalf of the petitioner submits that, in fact, the petitioner and Tushan Manjhi are the *Pattidar* and there was dispute regarding partition. Further submission is that in the night of the occurrence, Tushan Manjhi came in drunken state of mind and started abusing to the petitioner in which hot words were exchanged between the parties and due to drunken state of mind, deceased fell down on earth and received injuries on his head by stone. In the Post-mortem, four injuries were found, which is on left side of his body. The petitioner is in custody since 18.05.2015.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Jehanabad in connection with Ghosi P.S. Case No. 08 of 2015.

(Rajendra Kumar Mishra, J)

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