

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1668 of 2016

Arising Out of PS.Case No. -51 Year- 2015 Thana -AJIMABAD District- BHOJPUR

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Manoj Manjul @ Manoj Manjil @ Manoj Kumar, S/o Mithilesh Kumar,
Resident of Village- Kapoor Dihara, P.S.- Tarari, District- Bhojpur.
.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Manoj Kumar,
For the Opposite Party : Mr. Gulnar Begum, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

4 15-03-2016

Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner is accused in connection with Azimabad
P.S. Case No. 51 of 2015, registered under Section 364/34 of the
Indian Penal Code.

The accusation is that 24 persons named in the F.I.R.,
including the petitioner, forcibly took the father of the informant, Jai
Prakash Singh causing assault through lathi, stick and brick. His dead
body was recovered in maize field.

Learned counsel appearing on behalf of the petitioner
submits that it would appear from the F.I.R. that there is general and
omnibus allegation against the petitioner and others to cause injury to
the deceased Jai Prakash Singh, father of the informant through lathi,
stick and bricks. The witness in paragraph 40 of the case diary
specifically stated that this petitioner assaulted the deceased, but it
would appear from Post-mortem report as detailed in para 99 of the

case diary that no external injury was found rather cause of death is shown due to strangulation. Further submission is that petitioner is accused in six cases, as detailed in para-04 of the Supplementary Affidavit, but he is on bail in four cases. Further submission is that, in fact, due to caste rivalry, the petitioner has falsely been implicated in this case and he is in custody since 06.10.2015.

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, Bhojpur at Ara in connection with Azimabad P.S. Case No. 51 of 2015. Out of two sureties, one surety must be the close relative of the petitioner, who will file an affidavit showing his relation with the petitioner and further the petitioner shall remain present on each and every date during the course of the trial in the court below. If the petitioner fails to remain present on two consecutive dates during the course of the trial without any reasonable cause being shown, the court concerned would be at liberty to take steps for cancellation of his bail bonds.

(Rajendra Kumar Mishra, J)

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