

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55337 of 2017

Arising Out of PS. Case No.-238 Year-2014 Thana- KHIZARSARAI District- Gaya

Sunil Manjhi @ Chandal Manjhi, Son of Hari Manjhi, Resident of Village-
Telbigha Naumail, P.S. Khizar Sarai, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Sri Anil Kumar Saxena

For the Opposite Party/s : Sri Satyendra Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 17-11-2017 Heard Sri Anil Kumar Saxena, learned counsel for the
petitioner and Sri Satyendra Prasad, learned Additional Public
Prosecutor.

The sole petitioner, who is in custody since 23.05.2015,
has prayed for grant of bail in Sessions Trial No. 69 of 2017 /
432 of 2015 (S.J.) [arising out of Khizarsarai P.S. Case No.
238 of 2014] registered for the offence under section 302 / 34
of the India Penal Code , 1860.

By way of referring to the F.I.R. , learned counsel for the
petitioner submits that even on the basis of material on record,
there is no accusation of repetition of blow of “Tangi” by the
petitioner. In the F.I.R. only allegation has been made that
petitioner gave “Tangi” blow on the head of the husband of the
informant and due to the said injury he died and he further



submits that there was nothing to connect the petitioner and there is land dispute in between the parties. However, considering the fact that petitioner is the main assailant, there is no reason to consider the prayer for grant of bail.

The prayer for bail stands rejected.

Considering the fact that in the present petition it has been stated that charge in the case was framed long back on 16.01.2016 and till date prosecution has not produced any witness, while dismissing it is desirable to direct the trial court to take all steps for early disposal of the trial. The concerned Superintendent Of Police is also directed to ensure appearance of witnesses as and when required by the trial court.

Let a copy of this order be sent to the concerned Superintendent Of Police.

(Rakesh Kumar, J)

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