

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28252 of 2019

Arising Out of PS. Case No.-306 Year-2018 Thana- ISLAMPUR District- Nalanda

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SUKHU MANJHI @ MUGDAH JI @ MUNGDARH MANJHI @
MUKARH MANJHI, Son of Late Jitu Manjhi, Resident of Village- Pindpar
(Pachalova), Police Station- Islampur, District- Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Kanhaiya Kishore, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 01-05-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in **Islampur P.S. Case No.306 of
2018** instituted for the offence under Section(s) 302/34 Indian
Penal Code.

Counsel for the petitioner submits that informant is
not an eye witness. She has levelled general and omnibus
allegation against the petitioner.

It is alleged in the written report that on the date of
occurrence husband of the informant had gone to take Samosa
from the *Gumati* of the petitioner where he had altercation with
his wife. Thereafter, the petitioner came and assaulted husband
of the informant with bricks, fists etc. causing injury and threw



the dead body in pond. Dead body was recovered from the pond.

Counsel for the petitioner submits that informant is not eye witness to the occurrence. Dead body has been recovered from pond. Thereafter, instant case has been lodged levelling allegation against the petitioner.

Postmortem Report is enclosed as Annexure-2, wherein, doctor has found swelling on left side of head and swelling of left side of face. There is no description mentioned in the First Information Report with regard to assault on any vital part of body by the petitioner.

Petitioner is in custody since 06.09.2018.

Counsel for the petitioner further submits that wife of the petitioner has already been granted regular bail by co-ordinate Bench of this Court by order dated 13.03.2019 passed in Cr. Misc. No.14982 of 2019.

In the facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **Additional Chief Judicial Magistrate, Hilsa, Nalanda**, in connection with **Islampur P.S.**



Case No.306 of 2018, subject to the condition that both the bailors shall be close relative of the petitioner.

(Sanjay Priya, J)

J. Alam/-

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