

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41931 of 2019

Arising Out of PS. Case No.-34 Year-2019 Thana- KAJRA District- Lakhisarai

1. NARESH MANJHI Son of Medni Manjhi Resident of Village - Manjhiyama, P.S.- Kajra, Distt - Lakhisarai.
2. Anjan Manjhi Son of Late Anup Manjhi Resident of Village - Manjhiyama, P.S.- Kajra, Distt - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 53790 of 2019

Arising Out of PS. Case No.-34 Year-2019 Thana- KAJRA District- Lakhisarai

MUKESH KUMAR Son of Bisheshwar Manjhi Resident of Village- Manjhiyama, P.S.- Kajra, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 41931 of 2019)

For the Petitioner/s : Mr.Umesh Prasad

For the Opposite Party/s : Mr.Rajiv Nayan

(In CRIMINAL MISCELLANEOUS No. 53790 of 2019)

For the Petitioner/s : Mr.Umesh Prasad

For the Opposite Party/s : Mr.Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 27-09-2019 Both the cases have been taken up together for disposal as they relate to same P.S. case number.

Petitioners in both the cases seek bail in anticipation of their arrest in connection with Kajra P.S. Case No. 34 of 2019 registered for the offences punishable under Sections 302/34 of



the Indian Penal Code.

FIR disclosed the allegation that petitioners killed the father of informant and there is specific allegation against petitioner Mukesh Kumar that he assaulted the deceased by rod on head, causing injury and he was taken to hospital where he died at 10 P.M.

Submission of learned counsel for the petitioners in both the cases is that death occurred on 11.4.2019 and post mortem was conducted on 12.4.2019 and FIR has been lodged on 22.4.2019 and that creates doubt about the prosecution case and they have falsely been implicated. Further submission is that so far petitioners in Cr.Misc.No. 41931 of 2019 is concerned, there is no allegation of assault against them.

Heard learned APP, who has opposed the prayer for anticipatory bail on the ground that post mortem report shows deceased died due to shock, hemorrhage due to head injury.

In view of above facts and circumstances, the provisional bail granted to petitioners in Cr.Misc.No. 41931 of 2019 by order dated 9.7.2019 is confirmed and Cr.Misc.No.41931 of 2019 is allowed

So far petitioner Mukesh Kumar in Cr.Misc.No. 53790 of 2019 is concerned, in the facts and circumstances, I



am not inclined to grant him privilege of anticipatory bail to him. He may surrender and pray for regular bail.

(Vinod Kumar Sinha, J)

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