

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2158 of 2020

Arising Out of PS. Case No.-258 Year-2019 Thana- KAUWAKOL District- Nawada

1. Kailash Manjhi Son of Late Kashi Manjhi, Resident of Village- Taroun Kalaliya Tar, P.S.- Kawakole, District- Nawadah.
2. Sonu Manjhi Son of Kailash Manjhi, Resident of Village- Taroun Kalaliya Tar, P.S.- Kawakole, District- Nawadah.

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar, Adovcate

For the Opposite Party/s : Mr.Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 16-01-2020 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Petitioners in the present case are seeking regular bail in connection with Kawakole P.S. Case No. 258 of 2019 registered for the offences punishable under Sections 147, 148, 149, 302 of the Indian Penal Code and Section 3/4 of the Witch Practices Act.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. It is further submitted that there is general and omnibus allegation against the petitioners and petitioners had made accused and implicated in the case merely on the basis of



suspicion. The petitioners are in custody since 28.08.2019 having no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioners.

Considering the facts and circumstances of the case and the submission of the learned counsel for the petitioners not controverted by learned APP for the State, only two injuries have been found on the body of the deceased whereas the allegation of assault has been made against 15-16 persons by Lathi, Danda and Tangi, there is no specific allegation against the petitioners, the petitioners have no criminal antecedent and they are in custody since 28.08.2019, let the petitioners above named be released on bail in connection with Kawakole P.S. Case No. 258 of 2019 on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, I, Nawada, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of



the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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