

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15115 of 2020

Arising Out of PS. Case No.-361 Year-2019 Thana- WAJIRGANJ District- Gaya

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Bhuneshwar Manjhi @ Muneshwar Manjhi @ Munesar Manjhi Son of Bulak Manjhi Resident of Village - Bhagalpur, P.O.- Sahiya, P.S.- Wazirganj, Dist.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravindra Kumar Sinha, Adv.

For the Opposite Party/s : Mr.Prem Kumar Jha,APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 01-06-2020 Heard learned counsel for the petitioner, learned A.P.P for the State and learned counsel for the informant, through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Wazirganj P.S. Case no. 361 of 2019 registered for offence under sections 307, 147, 148, 149, 323, 324, 326, 504 and 506 of the Indian Penal Code to which section 302 of the Indian Penal Code was added subsequently.

As per allegation in the F.I.R., while the informant's son was returning home in the evening the accused persons surrounded him and it is stated that Pravesh Manjhi gave a 'khanti' blow on his head as a result of which he fell down unconscious. Shivcharan Manjhi gave a 'tangi' blow on his head



and Kandhai Manjhi struck with a rod on his head and back. Thereafter it is stated that Bodh Yadav made an attempt to save the informant's son on which the petitioner gave a 'khanti' blow on the head of Bodh Yadav. Thereafter Anil Manjhi and Gaya Manjhi also struck him with an iron rod and 'lathi'.

It is submitted by learned counsel for the petitioner that the allegation as levelled in the F.I.R. are false and concocted. It is further submitted that there is no allegation against the petitioner of having assaulted the deceased Ranjit Yadav. So far as the injuries on Bodh Yadav is concerned, from perusal of the injury report which has come during course of the investigation it would transpire that the same does not support the allegation in the F.I.R. The petitioner has no criminal antecedent and is in custody for the last 7 months.

The application for bail is opposed by learned A.P.P. for the State and learned counsel for the informant.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the injury found on Bodh Yadav together with the petitioner being in custody since 11.10.2019 and having no criminal antecedent, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on



bail in connection with Wazirganj P.S. Case no.361 of 2019 on
furnishing bail bond of Rs.10,000/- with two sureties of the like
amount each to the satisfaction of the learned Additional Chief
Judicial Magistrate 1st, Gaya.

(Partha Sarthy, J)

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