

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25508 of 2020

Arising Out of PS. Case No.-265 Year-2019 Thana- KAKO District- Jehanabad

VIJAY MANJHI Son of Rambriksh Manjhi Resident of Village- Algana, P.S.-
Kako, Dist- Jehanabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Nitya Nand Neeraj, Advocae
For the Opposite Party/s : Mrs. Meena Singh, APP.

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 28-09-2020 As of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through Video Conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual court proceedings from their homes, all with the aid of audio visual technology.

Heard learned Counsel for the petitioner and the learned Counsel for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in Kako PS Case No. 265 of 2019 registered under Sections 341, 323, 337, 338, 302 and 504/39 of the IPC.

The allegation is that the accused persons have indulged in brick batting over the informant and his family members. Five



years old son of the informant has died on account of injuries sustained.

It is submitted by learned counsel for the petitioner that the petitioner was in no manner concerned with the alleged occurrence. Since he is agnate of co-accused Ram Swaroop Manjhi, with whom the informant has pre-existing land dispute, his name has been dragged in this case without any basis. He is in custody since 18.2.2020 and has no criminal antecedent.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner 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 ACJM Ist, Jehanabad in Kako PS Case No. 265 of 2019 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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