

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29258 of 2020

Arising Out of PS. Case No.-642 Year-2017 Thana- PHULWARISHARIF District- Patna

1. BAISHAKHI MANJHI Son of Sipahi Manjhi Resident of Village - Mochita Mushahari, P.S.- Neura O.P. (Bihta), District - Patna.
2. Dhurkheli Manjhi Son of Sipahi Manjhi Resident of Village - Mochita Mushahari, P.S.- Neura O.P. (Bihta), District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bashishtha Narayan Mishra, Advocate
For the Opposite Party/s : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 09-11-2020 Heard learned counsel for the petitioners and learned counsel for the State.

Petitioners are in custody in connection with Phulwari Sharif (Janipur) P.S.Case No.642 of 2017 for the offence under Sections 302 and 201/34 of the Indian Penal Code.

Learned counsel for the petitioners would submit that the petitioners have no criminal antecedent. It is alleged that the allegation against these petitioners is that Mantu Kumar (deceased), younger brother of the informant dashed Baishakhi Manjhi with motorcycle and subsequently scuffle took place in which the deceased sustained injury and subsequently his dead



body was found near Kora Nadi. He further submits that no one has seen the occurrence. In fact, the companion of the deceased have fled away from the place of occurrence and as such none has seen the occurrence. He further submits that similarly situated co-accused Sipahi Manjhi has already been granted regular bail by a coordinate Bench of this Court in Cr. Misc. No.47187 of 2018 vide order dated 20.09.2018. The petitioners are in custody since 30.01.2020.

Considering the fact that similarly situated co-accused has already been granted bail by a coordinate Bench of this Court, the Court is inclined to grant bail to these petitioners, named above, on furnishing bail bond of Rs.25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-IV, Patna in connection with Sessions Trial No.261 of 2020 arising out of Phulwari Sharif (Janipur) P.S.Case No.642 of 2017.

(Anil Kumar Upadhyay, J)

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