

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25693 of 2020

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

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1. Shankar Manjhi Son of Ram Jalam Manjhi @ Ram Janam Manjhi Resident of Village - Algana, P.S. Kako, District- Jehanabad.
 2. Shailesh Manjhi Son of Ramprit Manjhi Resident of Village - Algana, P.S. Kako, District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivendra Prasad

For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3. 15-10-2020 Heard both parties through video conferencing.

The petitioners seek bail in Kako P.S. Case No. 265 of 2019, registered for the offence under Sections 341, 323, 337, 338, 302 and 504/34 of the Indian Penal Code.

As per the prosecution case, on 12-10-2019, when the informant alongwith his family members were in the house, nine accused persons, including petitioners, came and started brick-batting and pelting stones on informant's side, in which, one brick hit 5 years old son of informant namely Abhiraj Kumar, which resulted into death. It is further alleged that in the occurrence, informant's mother and one Raushani Devi also received injury.

It is submitted on behalf of petitioners that due to land dispute between the parties, the alleged occurrence has taken place, in which, both sides sustained injury. In fact, due to some



quarrel between the parties, both sides started brick-batting and pelting stones. There is general and omnibus allegation. No specific allegation has been levelled against these petitioners. Chargesheet has already been submitted. Petitioners have clean antecedent, as stated in paragraph – 3 of the petition, and they are in custody since 06-12-2019.

Considering the aforesaid facts and circumstances, the bail application of petitioners is allowed. Let the above-named petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM 1st, Jehanabad in connection with Kako P.S. Case No. 265 of 2019 on the following conditions:

“(1) Petitioners shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail-bond shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”.

(Prabhat Kumar Singh, J.)

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