

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50681 of 2019

Arising Out of PS. Case No.-610 Year-2018 Thana- NAUBATPUR District- Patna

1. Munni Lal Manjhi, Son of Late Sukhari Manjhi, Resident of Village - Alipur Mushar Toli, P.S.- Naubatpur, Distt - Patna.
2. Kanhai Manjhi, Son of Hari Chandra Manjhi, Resident of Village - Alipur Mushar Toli, P.S.- Naubatpur, Distt - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Pathak

For the Opposite Party/s : Mr.Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

6 06-02-2020 Heard learned counsel for the petitioners and State.

The petitioners are in custody in connection with Naubatpur P.S. Case No. 610 of 2018 for the offence under Sections 302, 307, 341, 323, 326, 147, 148 of the Indian Penal Code.

Allegation against the petitioner no.2 is that he was among the 8 named accused persons, who were assaulting the deceased and there is no overt act.

Learned counsel for the petitioners submits that petitioner no.1 has got no criminal antecedent. So far as petitioner no.2 is concerned he has one criminal antecedent for the offence under Section 30(a) of the Bihar Prohibition and



Excise Act. The petitioner no.1 is in custody since 07.01.2019 whereas petitioner no.2 is in custody since 23.03.2019.

Considering the fact that the petitioner no.1 has got no criminal antecedent and he was not named in the F.I.R. and also the fact that no overt act is alleged against petitioner no.2 and he has remained in custody for more than ten months, the petitioners, named above, are directed to be released on bail on furnishing bail bonds of Rs.50,000/- (Rupees fifty thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-II, Danapur, Patna in connection with Naubatpur P.S. Case No. 610 of 2018.

However, the court below is directed to expedite the trial on day to day basis and conclude the same at the earliest preferably within a period of six months from the date of receipt/production of a copy of this order.

In the event, the petitioners are adopting dilly dally approach in concluding the trial, the Court below shall be at liberty to cancel their bail bonds.

(Anil Kumar Upadhyay, J)

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