

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85948 of 2019

Arising Out of PS. Case No.-38 Year-2019 Thana- PARSA District- Saran

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BACHU MANJHI @ BACHCHU MANJHI Son of Dinanath Manjhi @
Bhothari Manjhi Resident of Village - Mujauna, P.S.- Parsa, Distt - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bishwajeet Singh, Advocate.

For the Opposite Party/s : Mr.Mohammed Arif, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 18-03-2020 Heard learned counsel for the parties.

The petitioner is languishing in custody since 20.07.2019 in a case registered for the offences punishable under Sections 447, 341, 323, 324, 307, 379, 504 and 506/34 of the Indian Penal Code. Subsequently, Section 302 of the I.P.C was also added vide order dated 18.03.2019.

The prosecution case as per the written report of the informant, Mishri Manjhi is to the effect that on 13.02.2019 at 7.00 P.M., the informant was at his door, in the meantime, the petitioner along with co-accused Harendra Manjhi came and started abusing the informant. On protest being made, the informant was assaulted by both the accused persons on his head with lathi and danda. On alarm being raised, when the son of the informant, Dharamnath Manjhi came to rescue the



informant, then petitioner assaulted him with a lathi, causing injury on his head.

It is submitted by learned counsel for the petitioner that due to old enmity, the accusation has been levelled. For the occurrence of 13.02.2019 the FIR was registered on 15.02.2019. It is further submitted that the case of the prosecution is that the petitioner and co-accused assaulted indiscriminately to the informant, who subsequently succumbed to the injuries, but the post-mortem reflects only one injury on the head. The petitioner is not having any criminal antecedent. It is further submitted that co-accused Harendra Manjhi has already allowed bail by the co-ordinate bench of this Court vide order dated 27.11.2019 passed in Criminal Miscellaneous No. 69327 of 2019.

Considering the facts of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. 13, Saran in connection with Parsa Police Station Case No. 38 of 2019 on the following conditions:-

(1) Petitioner 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence, or the witness, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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