

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1588 of 2020

Arising Out of PS. Case No.-255 Year-2019 Thana- BODHGAYA District- Gaya

1. UMESH MANJHI @ NANKA Son of Jagdeo Manjhi Resident of Village - Dhanarawa, P.S.- Bodh Gaya, District - Gaya.
2. Shibu Manjhi Son of Tetar Manjhi Resident of Village - Dhanarawa, P.S.- Bodh Gaya, District - Gaya.
3. Mahesh Kumar Son of Jagdev Manjhi Resident of Village - Dhanarawa, P.S.- Bodh Gaya, District - Gaya.
4. Suraj Kumar Son of Sadhu Manjhi Resident of Village - Dhanarawa, P.S.- Bodh Gaya, District - Gaya.
5. Sadhu Manjhi Son of Late Musafir Manjhi Resident of Village - Dhanarawa, P.S.- Bodh Gaya, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kunwar Narayan Jamuar
For the Opposite Party/s : .Dr. Indiwari Kumari

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 20-03-2020 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners seek regular bail in connection with Bodh Gaya P.S. Case No. 255 of 2019 for the offence registered under Sections 341, 323, 354, 307, 379/34 of the Indian Penal Code.

The allegation as per the version of the informant is that on 04.06.2019 at about 9:00 P.M. while quarrel was taking place near the house of the informant, the father of the



informant had tried to pacify the quarreling people, however, the accused persons including the petitioners herein started assaulting the father of the informant resulting in him receiving injuries and during the course of treatment at Patna Medical College and Hospital, Patna, the father of the informant is stated to have died after 14 days.

The learned counsel for the petitioners has submitted that a general and omnibus allegation has been levelled against the accused persons including the petitioners herein and as far as the petitioners are concerned there is no allegation of any sort of specific overt act resulting in injuries on the person of the father of the informant. It is further submitted that similarly situated co-accused person, namely, Shiva Manjhi has already been granted the privilege of anticipatory bail by a coordinate Bench of this Court vide order dated 18.02.2020 passed in Criminal Misc. No. 86461 of 2019. It is also submitted that as far as petitioner no. 2 Shibu Manjhi is concerned, he is languishing in custody since 14.06.2019 and the rest of the petitioners are languishing in custody since 16.07.2019.

The learned counsel appearing for the informant has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the



case, considering the submissions made by the learned counsel for the petitioners, taking into account the fact that a general and omnibus allegation has been levelled against all the accused persons and there is no allegation of any sort of specific overt act as far as the petitioners are concerned, who are stated to be having a clean antecedent and noting the fact that similarly situated co-accused person has been granted anticipatory bail by a co-ordinate bench of this Court by an order dated 18.02.2020, passed in Criminal Misc. No. 86461 of 2019, I deem it fit and proper to direct for release of the petitioners herein on regular bail.

Accordingly, the petitioners, above named, are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Bodh Gaya P.S. Case No. 255 of 2019.

(Mohit Kumar Shah, J)

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