

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86461 of 2019

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

Shiva Manjhi, Male, aged about 21 years, Son of Tetar Manjhi, Resident of
Village - Dhanawa, P.S.- Bodh Gaya, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anjani Kumar Jha, Advocate

For the Opposite Party/s : Mr.Jitendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-02-2020 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Bodh Gaya P.S. Case No. 255 of 2019 registered for the
offences punishable under Sections 341, 323, 354, 307, 379, 34
and 302 of the Indian Penal Code.

The case of the prosecution, in short, is that
informant's father on 04.06.2019 at about 8-9 O'clock at night
heard hulla and went there where he saw that the family of
Shivu Manjhi and Paras Manjhi were quarreling, informant's
father Jagdev Chaudhary tried to pacify the matter, in the
meantime Janardhan Manjhi, Rajesh Manjhi, Shiva Manjhi,
Shivu Manjhi, Devnandan Manjhi, Suraj Kumar, Sadu Manjhi,



Akash Kumar, Vikash Manjhi, Umesh Manjhi, Mahesh Manjhi, Sarvan Kumar, Beni Kumar, Madan Manjhi and Chotu Manjhi began to abuse informant's father and Shiva Manjhi attacked his father with iron rod on his head as a result his father fell down on the ground then all above named persons began to assault his father with lathi, danda an iron rod. Thereafter, with the help of villagers informant's father was taken to local hospital from where he was referred to PMCH and during course of treatment, he died.

Learned counsel for the petitioner submits that there is case and counter case between the parties. There is no specific allegation against the petitioner. There is general and omnibus allegation against the petitioner. The FIR is based on hearsay statement and neither informant nor any witness was present and have stated to see the occurrence.

In the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 20,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Gaya in connection with Bodh Gaya P.S. Case No. 255 of 2019, subject to the



condition as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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