

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.12939 of 2021**

Arising Out of PS. Case No.-119 Year-2020 Thana- SAKRA District- Muzaffarpur

Ranjit Manjhi, son of Nathuni Manjhi R/o village- Bishunpur, Baghnagari,
P.S.- Sakra, District- Muzaffarpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Gaurav Kumar, Advocate

For the Opposite Party/s : Mr.Harendra Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

3 26-08-2021 Heard learned counsel for the petitioner and Mr.
Harendra Prasad, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail in connection with Sakra P.S. Case No. 119 of 2020 registered for the offences punishable under Section 302 of the Indian Penal Code. He is in custody since 29.03.2020.

As per the prosecution story, the father of the informant had gone to collect toddy as part of his profession on 28.03.2020 at 6:00 A.M. After sometime the informant heard in his village that a dead body of a person is lying in the 'Chour' (a place at some distance from the village). The informant claims that when he went to see there, he found that his father was there in a serious condition and was taking the name Ranjit Manjhi. After sometime he died there only. The informant says that he has suspicion that Ranjit Manjhi (the petitioner) has killed his father.

Learned counsel for the petitioner submits that it is a case of false implication of the petitioner which may be found from the F.I.R. itself. The informant says that he heard in his village that a dead body was lying in the 'Chour' and thereafter he went to see that dead body. It means somebody from the village had seen the dead body in the 'Chour', therefore it is difficult to believe that when the informant with the brother will go there at that time his father was in a position to speak.

Learned counsel further submits that the only thing which has been stated is that his father was saying 'Ranjit Manjhi'. This alone does not suggest that the petitioner has killed the father of the informant. The informant himself says that he has suspicion against this petitioner.

Learned counsel further submits that the post-mortem report says that the father of the informant died because of the injuries suffered which may be caused by hard and blunt object, since the profession of the father of the informant was to collect toddy everyday, such injury may be caused due to fall from the tree.

Learned A.P.P. for the State has though opposed the prayer for regular bail of the petitioner but on query submits that there is no eye witness in the alleged occurrence.

Considering the facts and circumstances of the case, in

the nature of the materials placed before this court as discussed hereinabove, there is no eye witness of the alleged occurrence and the informant himself says that he has suspicion against the petitioner, in absence of any independent material before this Court, this Court directs release of the petitioner above named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. - 4th, Muzaffarpur in connection with Sakra P.S. Case No. 119 of 2020, subject to the condition as laid down under Section 437 (3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.