

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)  
CRIMINAL MISCELLANEOUS No.14472 of 2021**

Arising Out of PS. Case No.-68 Year-2013 Thana- BODHGAYA District- Gaya

Naresh Manjhi S/O Kesho Manjhi @ Keshav Manjhi R/O Village-Amba, P.S-  
Bodh Gaya, District-Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr.Ajay Kumar Sinha, Advocate

For the Opposite Party/s : Ms.Pronoti Singh, APP

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

2      17-06-2021              Learned counsel for the petitioner undertakes to  
remove all the defects as pointed out by office within four  
weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail  
in connection with Sessions Trial No. 338/19/394/19 arising out  
of Bodh Gaya P.S. Case No. 68/2013 registered for the offences  
punishable under Section 147, 148, 149, 341, 342, 323, 324,  
307, 302, 333, 337, 338, 322, 224, 225, 353, 120(B), 379 of the  
Indian Penal Code.

As per prosecution story, the informant being Block  
Statistic Supervisor, Bodh Gaya was deputed to maintain law  
and order situation while receiving a confidential information



that one Sitaram Yadav was shot dead and his family was not allowing to get post mortem examination as they were demanding arrest of the culprits, thereafter the informant along with police personnel reached at the place of occurrence and arrested accused persons and when he was returning some persons having Lathi, Danda, Katta, sword etc. obstructed and attacked on him and disturbed in performing official duty, anyhow situation was taken under control by the police party, however one constable was killed in the aforesaid occurrence by the miscreants. It is further stated that in the occurrence about 200-250 persons were attacked on the police force.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case on suspicion, petitioner is not named in the F.I.R.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that the petitioner is not named in the F.I.R. and his name has been brought in course of investigation on mere suspicion, the prosecution has alleged that the accused persons along with 200-250 unknown persons attacked on the police



party variously armed with weapons and in the said occurrence one police Jawan died, the submission being that the petitioner has been falsely implicated in this case, he is similarly situated to the co-accused who have been granted bail by learned coordinate Benches of this Court in Cr. Misc. No. 58412/2019, Cr. Misc. No. 34129/2019, Cr. Misc. No. 6095/2019, Cr. Misc. No. 7287/2019, Cr. Misc. No. 13002/2019, Cr. Misc. No. 41065/2019 and Cr. Misc. No. 41123/2019, learned counsel for the State is unable to draw any distinction between the case of the petitioner and the four accused who have been granted bail by different learned coordinate Benches of this Court, petitioner has remained in custody in connection with the present case since 01.04.2019, however the trial has yet not started and not likely to be concluded in near future, considering all these aspects of the matter, 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 Additional District & Sessions Judge – X, Gaya, in connection with Trial No. 338/19/394/19 arising out of Bodh Gaya P.S. Case No. 68/2013, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :



(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

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)**

Rajeev/-

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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'.

