

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14372 of 2021

Arising Out of PS. Case No.-111 Year-2020 Thana- KURTHA District- Jehanabad

Tejan Manjhi, Son of Late Deo Chandra Manjhi, Resident of Village-
Painathi, Police Station- Kurtha, District- Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kumar Mishra, Advocate.

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR

ORAL ORDER

4 18-11-2021 The applicant/accused in Crime No. 111 of 2020 registered with Kurtha Police Station for the offences punishable under Sections 147, 148, 149, 447, 448, 341, 323, 302, 427 and 504 of the Indian Penal Code at the instance of first informant Malti Devi, who happens to be widow by this application is seeking his release on bail after filing of the charge sheet.

Heard the learned counsel appearing for the applicant/accused. By placing reliance on order dated 02.08.2021 passed by this Court in Criminal Misc. No. 8339 of 2021, he argued that the applicant is entitled for bail on the principle of parity.

The learned Prosecutor is not disputing the fact that three co-accused namely Jairam Manjhi, Rameshwar Manjhi



and Tanujwa @ Tanuj Manjhi are released on bail by this Court.

The learned Prosecutor opposed the application by contending that the crime in question is serious and the victim of the crime was done to death in brutally manner by repeated blows of sticks on vital parts of his body including head. Considering the brutal way in which the deceased was done to death, the applicant is not entitled for bail.

I have considered the submissions so advanced and after perused the material placed before me including the charge sheet. There was dispute between the prosecuting party and the applicant and other co-accused in respect of theft of mobile on 25.03.2020. It is averred that therefore in furtherance of their common intention, the applicant and other co-accused went to the house of deceased, Kumhar Manjhi and assaulted him by means of sticks and ransacked his house.

Allegations against all accused persons are same. Co-accused placed in similar situation, namely, Jairam Manjhi, Rameshwar Manjhi and Tanujwa @ Tanju Manjhi are already directed to be released on bail by this Court vide order dated 02.08.2021 in Criminal Misc. No. 8339 of 2021 and therefore, this applicant needs to be given similar treatment and hence,



the order :-

i. The application is allowed.

ii. The applicant/accused in Crime No. 111 of 2020 registered with Kurtha Police Station for the offences punishable under Sections 147, 148, 149, 447, 448, 341, 323, 302, 427 and 504 of the Indian Penal Code be released on bail on executing P.R. bond of Rs.15,000/- (Rupees Fifteen Thousand) on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions:-

(I) The applicant/accused should not extend any threat, promise of inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.

(II) The applicant/accused should cooperate the trial in expeditious disposal of the trial against him.

(A. M. Badar, J)

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