

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19158 of 2021**

Arising Out of PS. Case No.-335 Year-2020 Thana- DEEPNAGAR District- Nalanda

1. JANKI MANJHI @ CHANO MANJHI @ CHANDO MANJHI, SON OF LATE KASHI MANJHI, RESIDENT OF VILLAGE-NEPURA, TOLA VIJAY NAGAR, P.S- DEEPNAGAR, DISTRICT-NALANDA
2. MITHU MANJHI, SON OF JANKI MANJHI @ CHANO MANJHI @ CHANDO MANJHI, RESIDENT OF VILLAGE- NEPURA, TOLA VIJAY NAGAR, P.S- DEEPNAGAR, DISTRICT- NALANDA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pankaj Kumar, Advocate
For the Opposite Party/s	:	Mr. Kalyan Shankar, APP
For the Informant	:	Mr. Rabindra Prasad Singh, Advocate

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

3 21-10-2021 Heard learned counsel for the petitioners, learned Additional Public Prosecutor for the State and learned counsel for the informant.

The petitioners have preferred this application for grant of regular bail in a case registered under sections 302, 326 and other sections of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, the ten named accused persons including the two petitioners herein came variously armed. Tulsi Manjhi is stated to have struck with a sword on the hand of the father of the informant while all the accused persons



armed with lathi and sword are stated to have brutally assaulted the father of the informant who subsequently died on way to the hospital.

It is submitted by learned counsel for the petitioners that the petitioners have been falsely implicated in the case. The allegations are general and omnibus in nature. The allegations levelled in the FIR are not supported by the contents of the postmortem report wherein only two injuries have been found on the body of the deceased. The petitioners are in custody since 6.10.2020 and have no criminal antecedent. Chargesheet has been submitted in the case.

The application for bail is opposed by learned APP for the State and learned counsel for the informant who submits that not only the petitioners are named in the FIR but they actively participated in the occurrence leading to death of the father of the informant.

Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the petitioners, the contents of the FIR read with the postmortem report and the petitioners having remained in custody for over one year, both the petitioners are directed to be enlarged on bail in connection with Deepnagar P.S. Case no. 335 of 2020 on



each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nalanda at Biharsharif.

(Partha Sarthy, J)

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