

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.24046 of 2021**

Arising Out of PS. Case No.-704 Year-2017 Thana- NAWADA District- Nawada

BINDESHWAR MANJHI @ BINESHWAR MANJHI S/o Balchand Manjhi  
R/o village- Musahari Kurma, P.S.- Nawada, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Bijendra Kumar

For the Opposite Party/s : Mr.APP

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

2      23-11-2021                      Heard learned counsel appearing on behalf of the  
petitioner and learned APP appearing on behalf of the State.

Let the defect(s) be removed within two weeks of the  
complete start of the physical Court in normal course.

Petitioner seeks regular bail in connection with  
Nawada Town P.S. Case No. 704 of 2017 registered for offences  
punishable under Sections 302/201 of the Indian Penal Code.

As per the prosecution case, one Mohan Manjhi has  
committed murder of Jitendra Kumar.

Learned counsel appearing on behalf of the petitioner  
submits that petitioner has falsely been implicated in this case  
on the basis of confessional statement of co-accused Mohan  
Manjhi and except suspicion there is nothing against the  
petitioner. Learned counsel on behalf of the petitioner further



submits that petitioner has got clean antecedent and he is in custody since 03.09.2020. Learned counsel for petitioner further submits that other co-accused whose name was also surfaced in the confessional statement of the said Mohan Manjhi have already been granted bail and in this regard he has brought on record the order dated 15.10.2020 passed in Cr. Misc. No. 25050 of 2020 with respect to one co-accused Rabindra Manjhi and also with respect to Manoj Manjhi who has been released on bail vide order dated 26.04.2018 passed in Cr. Misc. 18468 of 2018 and vide order dated 26.11.2018 passed in Cr. Misc. No. 67290 of 2018 relating to co-accused Akhilesh Manjhi has been released on bail.

Learned APP appearing on behalf of the State submits that in course of investigation the name of the petitioner was surfaced on the basis of confessional statement of Mohan Manjhi and therefore, complicity of the petitioner cannot be ruled out and as such he does not deserve to be released on bail

Considering the fact that petitioner is not named in FIR and he has been roped in this case on the basis of confessional statement of one co-accused against whom allegation of murder of Jitendra Kumar has been made. The petitioner has been implicated in this case on the basis of



confessional statement of co-accused Mohan Manjhi. Let the petitioner above named, be released on bail on furnishing bail bond of Rs. 50,000/- (Rupees Fifty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in connection with Nawada Town P.S. Case No. 704 of 2017 subject to the following conditions:

(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(iii) If the petitioner tempers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

**(Purnendu Singh, J)**

Niraj/-

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