

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43534 of 2021

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

1. SANJAY MANJHI Son of Banwari Manjhi @ Darbari Manjhi Resident of Village- Ratanpur Kurma Mushar Toli, P.S. and District- Nawada.
2. Biru Manjhi Son of Jagan Manjhi Resident of Village- Ratanpur Kurma Mushar Toli, P.S. and District- Nawada.
3. Dilip Manjhi Son of Banwari Manjhi @ Darbari Mnajhi Resident of Village- Ratanpur Kurma Mushar Toli, P.S. and District- Nawada.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Prem Ranjan Kumar

For the Opposite Party/s : Mr.Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-12-2021 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioners seek bail in connection with Nawada Nagar P.S. Case No. 704 of 2017 registered for the offences punishable under Sections 302, 201 of the IPC.

According to prosecution case, the informant alleges



that on 18.10.2017, Jitendra Kumar had gone to collect the dues amount from one Mohan Manjhi but he did not return. The informant further alleges that she came to know that Mohan Manjhi has killed the deceased.

Learned counsel for the petitioners submits that petitioners have clean antecedent and have committed no offence and they have falsely been implicated in the present case. He further submits that petitioners are not named in the FIR. Name of the petitioners came in this case on the basis of confessional statement of co-accused Mohan Manjhi. He further submits that similarly situated co-accused Manoj Manjhi has been granted bail by a co-ordinate Bench of this court vide order dated 26.04.2018 passed in Cr. Misc No. 18468 of 2018. Similarly, co-accused Akhilesh Manjhi has been granted bail by a co-ordinate Bench of this court vide order dated 26.11.2018 passed in Cr. Misc No. 67290 of 2018. Petitioners no. 1 and 2 are in custody since 11.02.2021 and petitioner no. 3 is in custody since 01.04.2021.

The learned Additional Public Prosecutor opposed the prayer of bail.

Considering the aforesaid facts and circumstances as well as period of custody, let the petitioners, above named, be



released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-I, Nawada in connection with Nawada Nagar P.S. Case No. 704 of 2017, subject to the following conditions:-

1. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

2. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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.

(Rajesh Kumar Verma, J)

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