

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34158 of 2020

Arising Out of PS. Case No.-172 Year-2019 Thana- SIKANDRA District- Jamui

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1. Laurangi Manjhi S/o Late Rohan Manjhi R/o Village-Bhaluwahi, P.S. Sikandra, District-Jamui.
 2. Bengu Manjhi S/o Late Mitran Manjhi R/o Village-Bhaluwahi, P.S. Sikandra, District-Jamui.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Niranjana Parihar, Advocate
For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 30-01-2021 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Petitioners in the present case are seeking regular bail in connection with Sikandra P.S. Case No. 172/2019 registered for the offences punishable under Section 302/34 of the Indian Penal Code.

As per the First Information Report, the informant's father, like every day, was in Mushari and there was a hot argument happened with these petitioners. It was alleged that the father of the informant was killed by gunshot injury.

Learned counsel for the petitioners submits that save and except suspicion, there is nothing against the petitioners. Petitioners have been falsely implicated in this case and they



have no criminal antecedent. Learned counsel submits that petitioners are in custody since 14.06.2020.

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

Having regard to the facts and circumstances of the case wherein learned counsel for the petitioners has submitted that save and except suspicion against the petitioners, neither in the F.I.R. nor in course of investigation any material has been collected to show involvement of these petitioners in the death of father of the informant and further submission that in fact from the F.I.R. itself it would appear that the informant admits in clear words that he cannot say perfectly as to who had murdered his father, there is no eye witness to the alleged occurrence, in course of investigation it has not come that anybody has seen these petitioners quarreling with the father of the informant on the alleged date of occurrence, the petitioners have otherwise no criminal antecedent, they have remained in jail since 14.06.2020, investigation against them is complete and there is no submission on behalf of State that their release is likely to result in tampering with the evidence or interfering with the course of trial, let the petitioners above named be released on bail on furnishing of bail bond of Rs. 25,000/-



(Rupees Twenty Five Thousand only) each with two sureties of the like amount each to the satisfaction of Sri M.K. Pandey, learned Judicial Magistrate, 1st Class, Jamui, in connection with Sikandra P.S. Case No. 172/2019, 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 petitioners and in case at any stage it is found that the petitioner 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.



And further condition that they will abide by and observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic.

(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'.

