

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40146 of 2020

Arising Out of PS. Case No.-357 Year-2019 Thana- RAJAOLI District- Nawada

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BABULAL MANJHI S/o Ratan Manjhi R/o village- Radhebigaha, P.S.-
Rajauli, District- Nawada

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Nayan, Adv.

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 23-03-2021 Heard Mr. Rajeev Nayan, learned counsel for the

petitioner and Mr. Uday Chand Prasad, Additional Public

Prosecutor for the State.

2. Petitioner seeks regular bail in connection with
Rajauli PS Case No. 357/2019 registered for the offence
punishable under Sections 302, 201, 34, 120(B) of the IPC.

3. The allegation, as per First Information Report, is
that petitioner along with other accused persons fourteen in
number have killed the son of the informant.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case due to village
politics inasmuch as it has been alleged that the dead body of
the deceased has been recovered on the basis of confessional
statement of the petitioner on 04.10.2019 whereas no FIR was



lodged on that very day rather it was lodged on 05.10.2019 and after recovery of the dead body, postmortem was conducted on 06.10.2019. Learned counsel further submits that the only material against the petitioner is that he confessed that he along with other co-accused persons, namely, Pintu Prasad and Rajo Yadav have killed the son of the informant inasmuch as during course of preparation of illicit liquor, the son of the informant had sustained burn injury and petitioner and others have allegedly, thrown his dead body in the dam after putting the same in a jute bag. Learned counsel next submits that when the dead body of the deceased was recovered, there was no sign of any external injury as it also appears from the inquest report.

5. Learned counsel also submits that similarly situated co-accused persons, namely, Pintu Prasad and Rajo Yadav have been granted bail by co-ordinate Benches of this Court *vide* Cr. Misc. Nos. 39575 and 9517 of 2020 respectively. Learned counsel further submits that petitioner is in custody since 06.10.2019 having no criminal antecedents.

6. Having regard to the submissions made by the parties and taking into consideration nature of allegation and the fact that similarly situated co-accused persons have been granted bail by co-ordinate Benches of this Court, I am inclined



to grant regular bail to the petitioner.

7. Accordingly, let the petitioner, BABULAL MANJHI be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-XI, Nawada/court concerned in connection with Rajauli PS Case No. 357/2019 (Sessions Trial No. 87/2020).

8. It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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