

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8237 of 2021

Arising Out of PS. Case No.-195 Year-2020 Thana- SARMERA District- Nalanda

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RAM PRASAD MANJHI S/O Adhin Manjhi RESIDENT OF VILLAGE -
KENAR KALAN, P. S. - SARMERA , DISTRICT - NALANDA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Binit Kumar
For the Opposite Party/s :	Mr. Anil Kumar Singh
	Mr. Umeshanand Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 05-08-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 302/34 of the Indian Penal Code.

As per the prosecution case, on 28.07.2020 at about 5 PM the father of informant had gone to watch his field where he came to know that this petitioner has grazed his paddy crops with his goat. When the father of informant went to the house of this petitioner to complain, petitioner along with other accused persons are alleged to have abused and assaulted the father of informant by iron rod, bricks and stones as a result of which father of informant sustained injuries and died during the course of treatment.



Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. It is submitted that due to petty dispute the occurrence took place between the parties and entire family members of the petitioner have been falsely implicated in the case. There is general and omnibus allegation of assault by iron rod, bricks and stones but in the post mortem report only one injury was found on the person of the deceased, Petitioner is in custody since 29.09.2020 and charge sheet has already been submitted.

Learned counsel appearing for the State and the informant opposed the prayer for bail and submitted that petitioner actively participated in the occurrence and assaulted the deceased.

Considering the facts of the case and the period of custody of the petitioner, let the petitioner, above named, 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 Chief Judicial Magistrate, Nalanda at Biharsharif in connection with Sarmera PS case No. 195 of 2020 on the following conditions:-

(1) Petitioner 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 his/ her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

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

(Prabhat Kumar Singh, J)

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