

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.7037 of 2021**

Arising Out of PS. Case No.-258 Year-2019 Thana- KAUWAKOL District- Nawada

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ARJUN MANJHI @ JHUNA MANJHI SON OF DAROGI MANJHI R/O  
VILLAGE- KALALNIYA TAND, TARAHM, P.S.- KAWAKOLE,  
DISTRICT- NAWADA.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Sudhir Kumar Sinha, Adv.

For the Opposite Party/s : Mr. A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**

ORAL ORDER

(The proceedings of the Court are being conducted through Video  
Conferencing and the Advocates joined the proceedings through Video  
Conferencing from their residence.)

2      26-04-2021      The defect(s) as pointed out by the Office be removed by  
  
the learned counsel for the petitioner within two months after  
  
the High Court resumes its normal functioning.

Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offences  
punishable under Sections 147, 148, 149, 302 of the Indian  
Penal Code read with Section 3/4 of Witch Practices Act.

As per the prosecution case, the informant stated that on  
26.08.2019 at about 9:00 PM son of Kailash Manjhi died due to  
illness. Informant further stated that after the death of son of  
Kailash Manjhi, all the FIR named accused persons including  
the petitioner and some unknown persons having tangi, knife,



lathi and danda entered into the house of the informant and started beating the informant's mother by saying that she is a Dain who killed Munna Kumar. Mother of the informant was badly injured and died on the way to hospital.

It has been submitted on behalf of the petitioner that petitioner is innocent and has falsely been implicated in this case due to ulterior motive of the informant. There is general and omnibus allegation of assault against all the accused including the petitioner. It has further been submitted that having more or less similar allegation, co accused Kailash Manjhi and Sonu Manjhi have been granted bail by a co-ordinate Bench of this court vide order dated 16.01.2020 passed in Cr. Misc. No. 2158 of 2020. Petitioner has no criminal antecedent and he is in custody since 18.09.2020.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with Kawakole P.S. Case No. 258 of 2019, with following conditions:-

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



(2) 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers 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.

**(S. Kumar, J)**

shahzad/-

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