

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68982 of 2021

Arising Out of PS. Case No.-125 Year-2021 Thana- PARASBIGHA District- Jehanabad

NAGESHWAR MANJHI, S/o- Late Jitan Manjhi, Resident of Village -
Newari, Tola- Sundarpur, Police Station - Makhdumpur, District - Jehanabad.

... .. Petitioner

Versus

THE STATE OF BIHAR.

... .. Opposite Party

with

CRIMINAL MISCELLANEOUS No. 69098 of 2021

Arising Out of PS. Case No.-125 Year-2021 Thana- PARASBIGHA District- Jehanabad

1. KUNTA DEVI, Wife of - Late Ganesh Manjhi, Resident of Village - Hajipur,
Police Station - Kako, District - Jehanabad.
2. Sakuntala Devi, Wife of - Raj Kumar, Resident of Village - Dhanawa, Police
Station - Belaganj, District - Jehanabad.

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party

with

CRIMINAL MISCELLANEOUS No. 69256 of 2021

Arising Out of PS. Case No.-125 Year-2021 Thana- PARASBIGHA District- Jehanabad

MRITUNJAY KUMAR @ MRITUNJAJ KUMAR, Son of Suraj Sao,
Resident of Village- Kaswan, P.S.- Parasbigha, District- Jehanabad.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

with

CRIMINAL MISCELLANEOUS No. 5913 of 2022

Arising Out of PS. Case No.-125 Year-2021 Thana- PARASBIGHA District- Jehanabad

LALAN NUT, Son of Dinesh Nut, Resident of Village - Sarta, P.S.-
Parasbigha, Distt.- Jehanabad.

... .. Petitioner



Versus
The State of Bihar.
... .. Opposite Party

with
CRIMINAL MISCELLANEOUS No. 7316 of 2022
Arising Out of PS. Case No.-125 Year-2021 Thana- PARASBIGHA District- Jehanabad
Suraj Manjhi, Son Of Ganesh Manjhi, R/O Village- Tarkaul, P.S.- Parasbigha,
District- Jehanabad.

... .. Petitioner
Versus
The State of Bihar.
... .. Opposite Party

with
CRIMINAL MISCELLANEOUS No. 7602 of 2022
Arising Out of PS. Case No.-125 Year-2021 Thana- PARASBIGHA District- Jehanabad
1. LOTHU MANJHI, S/o Late Sita Manjhi, R/o village- Sarata, P.S.-
Parasbigha, District- Jehanabad
2. Jawahar Manjhi, S/o Late Tetar Manjhi, R/o village- Sarata, P.S.-
Parasbigha, District- Jehanabad

... .. Petitioner
Versus
The State of Bihar.
... .. Opposite Party

with
CRIMINAL MISCELLANEOUS No. 12436 of 2022
Arising Out of PS. Case No.-125 Year-2021 Thana- PARASBIGHA District- Jehanabad
BHOLA MANJHI, S/o Rajdeo Manjhi @ Raj Dev Manjhi, R/o village-
Nehalpur, P.S.- Parasbigha, District- Jehanabad

... .. Petitioner
Versus
The State of Bihar
... .. Opposite Party

with
CRIMINAL MISCELLANEOUS No. 15296 of 2022
Arising Out of PS. Case No.-125 Year-2021 Thana- PARASBIGHA District- Jehanabad



RAJ KUMAR MANJHI, Son of Sri Meghu Manjhi, Resident of Village -
Nehalpur, P.S. - Parasbigha, District - Jehanabad.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

with
CRIMINAL MISCELLANEOUS No. 20131 of 2022

Arising Out of PS. Case No.-125 Year-2021 Thana- PARASBIGHA District- Jehanabad

MUKESH MANJHI, Son of Late Rohan Manjhi Resident of village - Sarta,
P.S.- Parasbigha, District - Jehanabad

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

(In CRIMINAL MISCELLANEOUS No. 68982 of 2021)

For the Petitioner/s : Mr.Ranjay Kumar Singh, Advocate

For the Opposite Party/s : Mr.Ajay Kumar No. 2, APP

(In CRIMINAL MISCELLANEOUS No. 69098 of 2021)

For the Petitioner/s : Mr.Ranjay Kumar Singh, Advocate

For the Opposite Party/s : Mr.Md.Fahimuddin, APP

(In CRIMINAL MISCELLANEOUS No. 69256 of 2021)

For the Petitioner/s : Mr.Rakesh Kumar, Advocate

For the Opposite Party/s : Mr.Ajay Kumar No. 2, APP

(In CRIMINAL MISCELLANEOUS No. 5913 of 2022)

For the Petitioner/s : Mr.Rakesh Kumar, Advocate

For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

(In CRIMINAL MISCELLANEOUS No. 7316 of 2022)

For the Petitioner/s : Mr.Sanjay Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Anand Mohan Prasad Mehta, APP

(In CRIMINAL MISCELLANEOUS No. 7602 of 2022)

For the Petitioner/s : Mr.Birendra Kumar, Advocate

For the Opposite Party/s : Mr.Yogendra Kumar, APP

(In CRIMINAL MISCELLANEOUS No. 12436 of 2022)

For the Petitioner/s : Mr.Umesh Kumar, Advocate

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

(In CRIMINAL MISCELLANEOUS No. 15296 of 2022)

For the Petitioner/s : Mr.Surendra Kumar Mishra, Advocate

For the Opposite Party/s : Ms.Nirmala Kumari, APP

(In CRIMINAL MISCELLANEOUS No. 20131 of 2022)

For the Petitioner/s : Mr.Mithilesh Kumar Rai, Advocate

For the Opposite Party/s : Mr.Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD



ORAL ORDER

2 17-05-2022 Heard learned counsel for the petitioner in all these applications and learned A.P.Ps. For the State.

All these applications have been taken up together as arising out of the same police station case number and have been listed for hearing today.

Petitioner, in these applications, are seeking regular bail in connection with Parasbigha P.S. Case No. 125 of 2021 registered for the offence under Sections 147/148/149 / 341/323/337/338/353/334/307/304/504/506/427/333 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioners submits that these petitioners have no criminal antecedent. Some of the petitioners are in custody since 25.07.2021 whereas some of them are in custody since 19.11.2021.

Learned counsel for the petitioners submits that as per the prosecution story, one under-trial prisoner Govind Manjhi of Village Sarta Mushari died in Sub-Jail, Daudnagar, Aurangabad. On this, the people of village Sarta Mushari, Nehalpur Mushari and the people from the surrounding areas blocked NH-110 and they were very aggressive. It is stated in the FIR that when the police party reached there, about 200-250 persons were burning tyres and were protesting violently taking lathi, danda and rod in



their hand. They were not ready to remove the blockade from the road. It is then stated that when the crowd became very aggressive and started throwing bricks on the police party, about 13 police personnel got injured who have been treated in the Primary Health Centre at Ratni Faridpur. Since the crowd were throwing stones and were damaging the police vehicles, while trying to flee away one woman hawaldar fell down and one unknown vehicle crushed her. It is alleged that from the information received through local sources and video footage received from different sources, 51 named and 200 unknown persons have been identified. The police personnel fired from INSAS rifle and one police constable fired three rounds whereafter the crowd were disbursed.

Learned counsel further submits that no overt act has been alleged against these petitioners. There is no allegation that these petitioners were armed with any deadly weapon and further there is no allegation that they were seen assaulting any police personnel.

Learned counsel further submits that in any case these petitioners have remained in custody at least for six months and some of them have remained in custody for about ten months and investigation against them is complete. It is their submission



that the further incarceration of the petitioners in these cases is not likely to come in aid of investigation or to help the prosecution.

It is lastly submitted that one of the co-accused Dhudheshwar Manjhi has been granted bail by this Court in Cr. Misc. No. 64857/2021. The case of these petitioners stand on similar footing with the said Dhudheshwar Manjhi.

Learned A.P.Ps. for the State is present. Learned A.P.Ps. have not drawn any distinction between the case of these petitioners with that of the co-accused Dhudheshwar Manjhi who has been enlarged on bail by this Court.

Having regard to the submissions noted hereinabove and the materials placed before this court and on finding that there is no specific allegation of commission of any overt act against these petitioners and they have remained in custody at least for over six months as also that investigation against them is complete and their presence may be secured in course of trial, therefore, this Court directs release of the petitioners above named on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad in connection with Parasbigha P.S. Case



No. 125 of 2021, subject to the condition as laid down under
Section 437 (3) Cr.P.C.

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.

(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'.

