

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21084 of 2021

Arising Out of PS. Case No.-399 Year-2020 Thana- NAUBATPUR District- Patna

1. SURYADEO MANJHI S/O- Bhuran Manjhi Resident of Village - Hemantchak, P.S. - Naubatpur, Distt. - Patna.
2. Laxman Manjhi S/O- Pulindar Manjhi Resident of Village - Hemantchak, P.S. - Naubatpur, Distt. - Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nawal Kishore Prasad, Adv.

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 24-01-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioners and learned counsel for the informant as well as the learned A.P.P. for the State through video conferencing.

The petitioners seek bail in connection with Naubatpur P.S. Case No. 399 of 2020 registered for the offence under Sections 147, 148, 149, 341, 323, 324, 307 and 302 of the Indian Penal Code.

The son of the informant is subjected to assault by the petitioner and others by way of knife as a result of which



he sustained injuries and died.

Learned counsel appearing for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. He further submits that it is apparent from the F.I.R. itself that there is general and omnibus allegation against the petitioners and no specific allegation of assault is attributed to the petitioners. He also submits that the police after investigation has submitted charge sheet against the petitioners but till date charge has not been framed in this case. The petitioners are rotting in judicial custody since 05.08.2020.

Learned counsel for the informant as well as learned A.P.P. for the State has, vehemently, opposed the prayer for bail of the petitioners.

Considering the facts and circumstances of the case, let the, above named, petitioners be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-III, Danapur (Patna) in connection with Naubatpur P.S. Case No. 399 of 2020 with the following conditions:-

(1) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be canceled by the Court below.

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

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.

(Rajesh Kumar Verma, J)

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