

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26754 of 2021

Arising Out of PS. Case No.-111 Year-2020 Thana- KURTHA District- Jehanabad

1. Dular Chand Manjhi S/o Dev Chand Manjhi R/o village- Painathi Musahari, P.S.- Kurtha, District- Arwal (Bihar)
2. Lobhi Manjhi S/o Dular Chand Manjhi R/o village- Painathi Musahari, P.S.- Kurtha, District- Arwal (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh

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

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR

ORAL ORDER

4 11-01-2022 The applicants/accused in Crime No.111 of 2020 registered with Kurtha Police Station for the offences punishable under Sections 147/148/149/ 341 /323 /302 / 447 /448/427/504 of the Indian Penal Code, by this application are seeking their release on bail during pendency of the trial.

Heard the learned counsel appearing for the applicants/accused. He submits that the coordinate Bench of this Court vide order dated 02.08.2021 passed in Cr. Misc. No.8339 of 2021 was pleaded to release on bail accused, namely, Jairam Manjhi, Rameshwar Manjhi and Tanujwa @ Tanuj Manjhi. It is further argued that based on the said



order, this Court vide order dated 18.11.2021 passed in Cr. Misc. No.14372 of 2021 was pleased to release accused Tejan Manjhi on bail. It is further argued that the case of the applicants is at par with that of the accused persons and therefore, the applicants also deserve to be released on bail.

The learned Additional Public Prosecutor opposed the application by contending that the crime in question is serious and the victim of the crime in question was done to death in brutal manner by repeated blows of six on vital part of his body.

I have considered the submissions so advanced and also perused the materials placed before me.

According to the prosecution case Kumhar Manjhi was done to death by the accused persons by repeated blows after ransacking his house.

Allegation against all accused persons are same. The accused persons placed in similar situation are already directed to be released on bail by a coordinate Bench vide order dated 02.08.2021 passed in Cr. Misc. No.8339 of 2021. Therefore, on the principle of parity, the following order :-

- i. The application is allowed.



ii. The applicants/accused in Crime No. 111 of 2020 registered with Kurtha Police Station be released on bail on executing P.R. bond of Rs.15,000/- (Rupees Fifteen Thousand) each on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions: -

(I) The applicants/accused should not extend any threat, promise of inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.

(II) The applicants/accused should cooperate the trial court in expeditious disposal of the trial against him.

(III) The applicants/accused should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.

(IV) The applicants should not repeat commission of similar offence in future and if they are found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicants in the instant case.

The applicants to remove all office objections forthwith and the Registry to issue the certified copy of this



order only after removal of office objections by the
applicant/accused.

(A. M. Badar, J)

Mkr./-

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