

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4419 of 2022

Arising Out of PS. Case No.-290 Year-2020 Thana- NOORSARAI District- Nalanda

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Mahendra Manjhi Son Of Late Mangal Manjhi R/O Village- Pariauna, P.S.-
Noor Sarai, District- Nalanda

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 17544 of 2022

Arising Out of PS. Case No.-290 Year-2020 Thana- NOORSARAI District- Nalanda

- =====
1. Chora Manjhi @ Akhilesh Manjhi @ Akhlesh Manjhi S/O Maheendra
Manjhi R/O Village- Pariauna, P.S.- Noor Sarai, District- Nalanda
 2. Dhananjay Manjhi S/O Maheendra Manjhi R/O Village- Pariauna, P.S.-
Noor Sarai, District- Nalanda

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/S

=====

Appearance :

(In CRIMINAL MISCELLANEOUS No. 4419 of 2022)

For the Petitioner/s : Mr. Pankaj Kumar

For the Opposite Party/s : Mr. Chandra Sen Pd. Singh

(In CRIMINAL MISCELLANEOUS No. 17544 of 2022)

For the Petitioner/s : Mr. Pankaj Kumar



For the Opposite Party/s : Mr. Chandra Sen Pd. Singh

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 05-12-2022 Heard learned counsel for the petitioners and Ld.
APP for the State.

The petitioners seek bail in connection with S.T.R
No. 799 of 2021 arising out of Noor Sarai P.S. Case No.
290 of 2020, registered for the offences punishable under
Sections 302, 201 and 34 of the Indian Penal Code.

The prosecution case as emerging from the FIR is
that on account of old enmity, the husband of the informant
was killed by the petitioner and his associates.

The learned counsel for the petitioners submits that
the petitioners are innocent and have falsely been implicated
in this case. He further submits that even in the FIR only
doubt has been expressed against the accused-petitioners
because informant has not seen the alleged occurrence. Even
in the case-dairy, there is no incriminating material against
accused-petitioners. He also submits that investigation is
complete and charge-sheet has already been submitted,
even charge has been framed.



The petitioners have been languishing in jail since 11.07.2021 and 11.10.2021, respectively.

It is also stated in paragraph no. 2 of the petition that the petitioners have never moved before this Court for grant of anticipatory bail or regular bail.

It has further been stated that the petitioners have no criminal antecedents.

However, the learned APP for the State vehemently opposes the prayer of the petitioners for bail.

Considering the aforesaid facts and circumstances, the petitioners, above-named, are directed to be released on bail on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Ld. Additional District and Sessions Judge-1 Nalanda at Biharshrif in connection with S.T.R No. 799 of 2021 arising out of Noor Sarai P.S. Case No. 290 of 2020 on the following conditions:

(i) The petitioners will make themselves available for interrogation by a police officer/court as and when required.



(ii) The petitioners will undertake that investigation/trial will not hamper on account of their absence or non-cooperation. They must be available to the police or the court whenever their presence is required.

(iii) The petitioners shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, the learned court below shall cancel the bail bond of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioners.

The application stands allowed accordingly.



The learned counsel for the petitioners is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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