

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20009 of 2022

Arising Out of PS. Case No.-89 Year-2020 Thana- PALI District- Jehanabad

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1. Ganesh Manjhi Son of Bulkan Manjhi Resident of Village - Kosiyawen, P.S.- Pali, District - Jehanabad.
 2. Sonu Manjhi Son of Bulkan Manjhi Resident of Village - Kosiyawen, P.S.- Pali, District - Jehanabad.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Shivendra Prasad, Advocate.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 21-07-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners seek regular bail in connection with
Sesstion Trial No.57 of 2022 arising out of Pali P.S. Case No. 89
of 2020 lodged under Sections 341, 323, 325, 504, 506 & 34 of
the Indian Penal Code in which Section 302 of the Indian Penal
Code has been added at later stage.

Learned counsel for the petitioners submits that
originally F.I.R. was lodged under Section 341, 323, 325, 504,
506 & 34 of the Indian Penal Code in which the petitioners
granted bail and they never misused their bail but when the
informant was died during her treatment due to septicemia

development in the injured part, therefore, Section 302 of I.P.C. has been added in this case but the court below upon their appearance cancelled the bail bond that Section 302 of I.P.C. has been added and since then, they are in custody. Learned counsel for the petitioners submit that it is established principle of law that once bail is always bail. He submits that presently they are in custody since 06.01.2022 on the ground that Section 302 of I.P.C. has been added.

Learned counsel for the State fairly submits that once the petitioners granted bail then as per law they are continued to be on bail for the entire trial unless not misused.

Considering the facts and circumstances of this case and the submissions made above, let the petitioners above named, be granted bail on furnishing bail bonds of Rs.20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Jehanabad in connection with Session Trial No.57 of 2022 arising out of Pali P.S. Case No. 89 of 2020, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

The petitioners are directed to appear on each and every date before the Trial Court, in case of non-appearance for two consecutive dates, shall resulted into cancellation of their

bail bond. If they shall involve in such type of activities again, the prosecution shall be at liberty to move for cancellation of their bail bond. One of the bailors shall be own close relative of the petitioners who will file on affidavit as to how he is related to the petitioners.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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