

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25702 of 2022

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

JITAN MANJHI S/o Late Tetar Manjhi R/o village- Sarta, P.S.- Parasbigha,
District- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kumar Mishra

For the Opposite Party/s : Mr.Ajit Kumar

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 26-08-2022 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned A.P.P. for the State through video-conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered u/s 147, 148, 149, 341, 323, 337, 338, 353, 334, 307, 304, 504, 506, 427 and 333 of the Indian Penal Code and 27 of the Arms Act and 3 of the Prevention of Damage to Public Property Act.

As per the prosecution case, one under-trial prisoner Govind Manjhi of Village Sarta Mushari, died in Sub-Jail, Duadnagar, 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 F.I.R. that when the police party reached there, about 200-250 persons were burning tyres and protesting violently taking lathis, dandas and rods in their hands. They were not ready to remove the blockade from the road. It is then stated that when the crowd became very aggressive and started pelting bricks on the police party, about 13 police personnel got injured who have been treated in the Primary Health Centre at Ratni Faridpur. Further, one woman constable fell down and one unknown vehicle crushed her and she died on the spot. 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. When the police personnel fired from INSAS rifle and one police constable fired three rounds thereafter the crowd dispersed.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has clean antecedent as stated in para 3 of the bail petition. It is further stated that one of the co-accused Dhudheshwar Manjhi has already been granted bail by a Co-ordinate Bench vide order dated 06.05.2022 passed in Cr. Misc.



No.64857 of 2021 and the case of the petitioner stands on similar footing with the case of aforesaid co-accused Dhudheshwar Manjhi. The petitioner is in custody since 26.12.2021.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case and the material placed before this court and on finding that there is no specific allegation of commission of any overt act against the petitioner and the period of detention, the petitioner is directed to be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Jehanabad in connection with Parasbigha P.S. Case No. 125 of 2021.

The application stands allowed.

(Chandra Prakash Singh, J)

shobhakri/-

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