

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28191 of 2022

Arising Out of PS. Case No.-320 Year-2021 Thana- ATRI District- Gaya

Rajendra Manjhi Son of Late Bideshi Manjhi, R/o Village- Teusha, P.S.- Atri,
District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Narsingh Tanti, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 23-08-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be
removed within a period of four weeks from today.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 147, 149, 341, 323, 325,
307, 379, 504 and 506/34 of the Indian Penal Code.

According to prosecution case, in brief, as per written
report of the informant Rohit Kumar is that on 22.09.2021,
accused Rajendra Manjhi was constructing house over land of
the informant and when the informant raised protest, accused
persons including the petitioner started assaulting him with
Lathi, danda and bricks. Accused Rajendra Manjhi assaulted
with iron rod to Vikash Kumar causing fracture injury on her
head and accused Subodh Manjhi assaulted with Khanti to



Deepak Kumar causing fracture injury on his head. Accused Surendra Manjhi assaulted with rod to Jarmani Kumar causing fracture of his hand and allegation of theft of golden locket is also levelled against the accused persons.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that it appears from the F.I.R. itself that there is admitted land dispute between the parties and as per F.I.R. that there is specific allegation of assaulting by means of iron rod to the brother of the informant namely Vikash Kumar and causing fracture injury on the head of Vikash Kumar. He further submits that the injury report of the Vikash Kumar suggested that the nature of injury is simple in nature. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 09.01.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court



below where the case is pending in connection with Atri P.S.

Case No. 320 of 2021, subject to the following conditions:-

1. Petitioner 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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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