

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41068 of 2021**

Arising Out of PS. Case No.-338 Year-2020 Thana- KHIJARSARAI District- Gaya

AJAY MANJHI @ AJAY KUMAR MANJHI Son of Raj Kumar Manjhi
Resident of village - Hazichak, P.S.- Khizersarai, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Yadav, Adv

For the Opposite Party/s : Mr.Upendra Kumar,APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

4 05-04-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 341, 342, 323, 307, 337, 338, 448, 504, 506/34 of the Indian Penal Code.

The prosecution case, in short, is that Rohit Manjhi, Ajay Manjhi, Vijay Manjhi, Chandan Manjhi assaulted due to which Budhan Chaudhary sustained injury on his head.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been



implicated in the present case. He further submits that it appears from the FIR that there is general and omnibus allegation against the petitioner. He further submits that the present case is counter blast of Khizersarai P.S.Case No.339 of 2020. He further submits that similiary situated co-accused, namely, Chandan Majhi @ Chandan Kumar Manjhi @ Chandan Kumar has been granted bail vide order dated 31.03.2022 in Cr. Misc. No. 64514 of 2021 and co-accused, namely, Vijay Manjhi has been granted bail vide order dated 23.03.2022 in Cr. Misc. No. 56460 of 2021 by a Coordinate Bench of this Hon'ble Court. He further submits that co-accused, namely, Nanhu Manjhi, Ranjit Manjhi @ Ranjit Kumar Manjhi and Dhirendra Manjhi have been granted bail vide order dated 24.01.2022 in Cr. Misc. No. 30510 of 2021, and co-accused, namely, Ramshray Manjhi has been granted bail vide order dated 24.01.2022 in Cr. Misc. No. 44247 of 2021 by a Coordinate Bench of this Hon'ble Court and the petitioner is in custody since 16.01.2021.

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

Considering the facts and circumstances of the case, 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 learned Court below where the case is pending in connection with Khizersarai Police Station Case No.338 of 2020, with 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/her absence on two consecutive dates without sufficient reason, his/her 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.

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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