

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33199 of 2022

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

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RAMESHWAR MANJHI @ RAMAJSHWAR MANJHI S/o Ram Surat
Manjhi R/o village- Sarta, P.S.- Parasbigha, District- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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with
CRIMINAL MISCELLANEOUS No. 37400 of 2022

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

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ARUN MANJHI S/O BULAKAN MANJHI @ BUDHAN MANJHI Resident
of Village- Sarta, P.S.- Parasbigha, District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 33199 of 2022)

For the Petitioner/s : Mr.Surendra Kumar Mishra

For the Opposite Party/s : Mr.Arun Kumar Pandey

(In CRIMINAL MISCELLANEOUS No. 37400 of 2022)

For the Petitioner/s : Mr.Surendra Kumar Mishra

For the Opposite Party/s : Mr.Anand Kishore Choudhary

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

ORAL ORDER

2 26-09-2022 Learned counsel for the petitioners 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 petitioners and

learned APP for the State.



The petitioners have preferred this application for grant of regular bail in a case registered under section 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 were 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 petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. Nothing has been recovered from the possession of the petitioners. The petitioners have clean antecedent as stated in para 3 of the bail petition. It is further submitted that one of the co-accused Jitan Manjhi has already been granted bail by this Court *vide* order dated 26.08.2022 passed in Cr. Misc. No. 25702 of 2022 and the case of the petitioners stands on similar footing. The petitioner No. 1 & 2 are in custody since 24.02.2022 and 25.07.2021 respectively.

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

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 petitioners as well as the period of detention, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Jehanabad in connection with



Parasbigha P.S. Case No. 125 of 2021.

The application stands allowed.

(Chandra Prakash Singh, J)

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