

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48759 of 2021

Arising Out of PS. Case No.-171 Year-2020 Thana- RAJAOLI District- Nawada

BHUKHAN MANJHI @ VIRENDRA MANJHI Son of Jawahar Manjhi @
Munshi Manjhi Resident of Village- Garhpar, P.S.- Rajauli, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar, Advocate.

For the Opposite Party/s : Mr.Vinod Shanker Modi, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 25-04-2022 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s), if any, be removed within two weeks of the complete start of the physical Court in normal course.

The petitioner seeks regular bail in connection with Rajauli P.S. Case No. 171 of 2020 for the offence punishable under Sections 147, 148, 149, 341, 323, 324 and 302 of the Indian Penal Code.

The prosecution story, in brief, is that all the eight named accused persons including the petitioner surrounded the brother of the informant and his friend. Meanwhile, co-accused Laxman Rajbanshi assaulted the brother of the informant by means of tangi causing grievous injury on his head. Accused



persons also assaulted with lathi, danda and iron rod and as a result of which, the brother of the informant died during the course of treatment.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and he has falsely been implicated in this case. There is general and omnibus allegation against the petitioner and no specific overt act has been alleged against him. Specific allegation of assault is against co-accused Laxman Rajbanshi who assaulted the deceased by means of tangi on his head. Similarly situated co-accused, namely, Bharat Rajbanshi has been granted bail by a co-ordinate Bench of this Court vide order dated 05.08.2021 passed in Cr. Misc. No. 11803 of 2021 and the case of the petitioner stands on similar footing. Petitioner has clean antecedent and is in custody since 28.11.2020.

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

Considering the rival submissions of the parties, material available on the record and similarly situated co-accused has been granted bail by a co-ordinate Bench of this Court, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five



thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Nawada in connection with Rajauli P.S. Case No. 171 of 2020, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

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

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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