

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50378 of 2021

Arising Out of PS. Case No.-111 Year-2020 Thana- KURTHA District- Jehanabad

UPENDRA MANJHI Son of Rameshwar Manjhi @ Ramdas Manjhi Resident
of Village - Painathi Musahari, P.S.- Kurtha, District - Arwal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Paras Nath, Advocate

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

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 28-02-2022 Heard the learned counsel appearing for the petitioner
and learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Kurtha P.S. Case No. 111 of 2020 for the offence punishable under Sections, 147, 148, 149, 447, 448, 341, 323, 302, 427 and 504 of the Indian Penal Code.

The allegation is regarding 18 named accused persons including the petitioner herein having broken the door of the house of the informant and having entered the house, whereafter they are alleged to have assaulted the husband of the informant resulting in his death.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, is having a clean antecedent and is languishing in



custody since 26.02.2021. The learned counsel for the petitioner has further submitted that a general and omnibus allegation has been levelled against the petitioner and there is no allegation of the petitioner having engaged in any sort of specific overt act. It is also submitted that similarly situated co-accused persons have already been granted bail by a coordinate Bench of this Court vide orders dated 02.08.2021 and 06.01.2022 passed in Criminal Misc. No. 8339 of 2021 and Criminal Misc. No. 36363 of 2021.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the parity of the case of the petitioner with that of the co-accused persons who have already been granted bail by a coordinate Bench of this Court apart from the fact that the petitioner is having a clean antecedent and he is languishing in custody since about a year, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to 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 Chief Judicial Magistrate, Arwal in connection with Kurta P.S. Case No. 111 of 2020.

(Mohit Kumar Shah, J)

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