

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53106 of 2021

Arising Out of PS. Case No.-24 Year-2021 Thana- TANKUPPA District- Gaya

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Anil Kumar Son Of Amirak Manjhi R/O Village- Gawal Bigha, P.S.-
Tankuppa, Dist.- Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar
For the Opposite Party/s : Dr. Indihar Kumari

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 10-03-2022 Heard learned counsel for the petitioner and learned
APP for the State.

This Court would expect that the petitioner's
Counsel would honour his undertaking in the instant
proceedings regarding supply of requisite court fee etc. within
two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in connection with Tankuppa P.S.
Case No. 24 of 2021 registered under Sections 302, 147, 148,
149, 341, 342, 188, 323, 324, 326 and 201 of the Indian Penal
Code.

Recovery of one nude dead body has been found
leading to lodging of the instant case. The village *chowkidar* has
lodged the instant case stating that petitioner along with four
other named accused persons and nearly fifty unknown persons



had assaulted the victim who has succumbed to the injuries. The assault is stated to be based on a suspicion that victim was a child lifter.

It is submitted by the petitioner's counsel that being one of the organisers of the *Sarswati Puja*, the petitioner has been implicated in this case by name along with four other named accused persons as the occurrence has taken place after *visharjan* procession. Petitioner has no criminal antecedent and implication of such large number of persons at the instance of village *chowkidar* is merely on suspicion. The petitioner is stated to be in custody since 21.02.2021. Further submission is that no case of section 302 of the IPC is made out against the petitioner.

Learned APP has opposed the prayer for bail.

This Court would find that large number of persons have been made accused and even as per the prosecution case, the victim was assaulted by a mob on a suspicion that he was a child lifter; the petitioner is also man of clean antecedent and the investigation is complete. Prayer for bail of the petitioner is allowed.

Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two



sureties of the like amount each to the satisfaction of learned
A.C.J.M.-1st, Gaya in Tankuppa P.S. Case No. 24 of 2021,
subject to the following conditions:-

(i) That one of the bailors will be a close relative of
the petitioner who will give an affidavit giving genealogy as to
how he is related with the petitioner. The bailor will also
undertake to inform the Court if there is any change in the
address of the petitioner.

(ii) That the petitioner will be well represented on
each date and if he fails to do so on two consecutive dates, his
bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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