

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52676 of 2021

Arising Out of PS. Case No.-399 Year-2020 Thana- NAUBATPUR District- Patna

Naresh Manjhi Son of Ghamandi Manjhi Resident of Village- Hemanchak
Dwar, Police Station- Naubatpur and District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Manish Kumar No2, Advocate
For the Opposite Party/s	:	Mr. Sanjay Kumar Singh, A.P.P.
For the Informant	:	Mr. Ajay Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 04-04-2022 Heard learned counsel for the petitioner and learned
counsel for the Informant as well as learned Additional Public
Prosecutor for the State.

Let the defects, as pointed out by the office, be
removed within four weeks of start of normal functioning of the
physical court.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 147, 148, 149, 341, 323,
324, 307 and 302 of the Indian Penal Code.

According to prosecution case, the informant Puna
Devi, lodged the instant case and alleging therein that on
03.08.2020, when her son and husband were abusing each other,
in the meantime, the petitioner and other co-accused persons,
who happened to be the neighbor started thrashing them in the



impression that they are abusing them. The allegation against the petitioner that he caught hold the son of the informant and co-accused Jag Narayan gave a knife blow to him and due to that injury inflicted upon his chest, the informant died during course of treatment.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that as per allegation in the F.I.R. that he caught hold the son of the informant and the co-accused namely Jag Narayan Manjhi gave a knife blow on him. He further submits that the petitioner is not inflicted the knife blow upon the son of the informant. He further submits that similarly situated, co-accused, namely, Laxman Manjhi and Suryadeo Manjhi have been granted bail by a co-ordinate Bench of this Court vide order dated 24.01.2022 passed in Cr. Misc. No. 21084 of 2021. The petitioner is in custody since 04.02.2021.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail.

Considering the aforesaid facts and circumstances, 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 the learned Court below where the case is pending in connection with Naubatpur P.S. Case No. 399 of 2020, subject to 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 absence on two consecutive dates without sufficient reason, his 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.

3. 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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