

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55554 of 2021

Arising Out of PS. Case No.-65 Year-2020 Thana- JANTA BAZAR District- Saran

OSHIHAR MANJHI S/o- Rangeela Manjhi R/o- Village- Basahi, P.S.- Janta Bazar, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anjani Parashar, Adv.
For the informant	:	Mr. Asif Daula Siddiquee, Adv.
	:	Mr. Rananjay Kumar, Adv.
For the Opposite Party/s	:	Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 06-04-2022 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the offence under Sections 148, 149, 323, 324, 325, 379, 376 and 511 of the Indian Penal Code.

The informant and her sister are said to have been assaulted and she was attempted to commit rape by the petitioner and others.

Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that there is general and omnibus allegation against the petitioner and no specific overt act is attributed to him rather specific



allegation of attempt to commit rape is attributed to the co-accused, Munna Manjhi and Rajesh Manjhi. He further submits that the co-accused, namely, Chhotelal Manjhi has already been granted bail by this Court vide order dated 28.02.2022 passed in Cr. Misc. No. 40800 of 2021. He also submits that the petitioner is 74 years old man and he is not able to move freely. The petitioner is rotting in judicial custody since 01.07.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries three more cases other than the present one.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 Court below where the case is pending in connection with Janta Bazar P.S. Case No. 65 of 2020 with 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/her absence on two consecutive dates



without sufficient reason, his/her bail bond shall be canceled 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.

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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