

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60346 of 2021**

Arising Out of PS. Case No.-145 Year-2019 Thana- RAGHUNATHPUR District- Siwan

Suraj Manjhi @ Suraj Kumar Paswan @ Suraj Kumar Son of Madan Manjhi
Resident of Village - Amwari, P.S. - Raghunathpur, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh
For the Opposite Party/s : Mr.Ramchandra Sahni

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 13-04-2022 Let the defects, if any, be removed within four weeks
from today.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered in connection
with Reghunathpur P.S.Case No. 145 of 2019 for the offences
punishable under Sections 302, 354B, 34 of the Indian Penal
Code.

As per the prosecution case, it is alleged that with
respect to payment of cigarette dispute took place between the
shopkeeper and ten others including this petitioner. It is alleged
that on account of such dispute all the co-accused persons
including this petitioner have assaulted the husband of the
informant by means of hard and blunt substance leading to his



death.

It is submitted on behalf of the learned counsel for the petitioner that there is general and omnibus allegation against all the accused persons and no specific overt act has been attributed against the petitioner. It is next submitted that though the post mortem was held but the same does not corroborate the allegation made in the F.I.R. It is further submitted that four other co-accused persons having similar allegation have already been granted anticipatory bail by a Bench of this Court in Cr. Misc. No. 75946 of 2019. vide order dated 16.12.2019, the copy of which is annexed as (Annexure-5) to this petition. Further other co-accused persons have also been granted bail by different Benches of this Court, annexed as Annexure 2,3,4 to this petition. It is lastly submitted that the petitioner himself surrendered before the learned court below on 26.07.2021 having no criminal antecedent.

The learned A.P.P opposed the prayer for bail of the petitioner.

Having heard the rival contentions of the parties and taking into consideration the fact that petitioner has no criminal antecedent and other co-accused persons have already granted bail, let the petitioner, above named, be released on bail on



furnishing bail bonds of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate VIII, Siwan in connection with Raghunathpur P.S.Case No. 145 of 2019, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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