

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69364 of 2021

Arising Out of PS. Case No.-361 Year-2019 Thana- WAJIRGANJ District- Gaya

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JAMUN MANJHI @ YAMUNA MANJHI S/o Mangaru Manjhi Resident of
Village - Bhagalpur, P.S. - Wazeerganj, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dharmendra Kumar Sinha, Adv.

For the Opposite Party/s : Mr.Dilip Kumar No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 27-04-2022 Let the defects, as pointed out by the office, be

removed within four weeks of starting of Court proceeding in

physical mode in normal course.

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 147, 148, 149, 323, 324, 326, 307, 504,

506 and 302 of the Indian Penal Code.

The informant and his son are said to have been

assaulted by the eighteen F.I.R. named accused persons including

the petitioner as result of which son of the petitioner succumbed

before the injuries during course of treatment.

Learned counsel appearing for the petitioner submits

that the petitioner, who is of clean antecedent, is innocent and



has falsely been implicated in this case. He further submits that there general and omnibus allegation against the petitioner and no specific allegation of assault is attributed to him. He further submits that co-accused, namely, Krishna Paswan, Bhuneshwar Manjhi @ Muneshwar Manjhi @ Munesar Manjhi and also Nago Paswan @ Nagendra Paswan have already been granted bail by a co-ordinate Bench of this Court vide order dated 14.01.2020, 01.06.2020 and 15.10.2020 passed in Cr. Misc. No. 1944 of 2020, Cr. Misc. No. 15115 of 2020 and Cr. Misc. No.26169 of 2020, respectively. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 02.07.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

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 Wazeerganj P.S. Case No. 361 of 2019 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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