

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70126 of 2021

Arising Out of PS. Case No.-276 Year-2021 Thana- GRIYAK District- Nalanda

1. MITHILESH MANJHI Son of Rajendra Manjhi Resident of Village - Shobha Bigha, P.S.- Nalanda, District - Nalanda.
2. Sheo Shankar Manjhi Son of Janki Manjhi Resident of Village - Mimi, P.S.- Shekhopura, District - Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrigendra Kumar, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 27-04-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners seek bail in connection with Giryak
P.S. Case No. 276 of 2021 registered for the offences punishable
under Sections 147, 148, 341, 323, 307, 302, 448, 504 and 506
of the Indian Penal Code.

The learned counsel for the petitioners submits that
petitioners are in custody since 07.07.2021, charge-sheet has
been submitted in the case and are persons with clean
antecedent and the informant alleges that he along with his wife
had gone to village Ghosrawan to pay for bricks to Ballam
Manjhi, further Ghosrawan is the matrimonial home of his son



Durga Manjhi, further the named accused persons including the petitioners came and assaulted his wife and son and when informant went to save them he was also assaulted, further he came back to his village and got his wife treated by a village doctor and when her condition deteriorated, she was taken to Sadar hospital but she died on the way.

The learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case, the allegation of assault is general and omnibus in nature, further the date of occurrence is 26.06.2021 and the FIR came to be instituted on 05.07.2021 i.e. after a delay of ten days when the deceased had died on 03.07.2021. It is further submitted that there is absolutely no plausible explanation for instituting the FIR after such a delay. It is further submitted that it absolutely does not stand to reason that as to why the deceased was not treated in a hospital, if on account of assault it is alleged that she died.

The Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioners.

Considering the fact that the petitioners are in custody since 07.07.2021, charge sheet has been submitted in the case and are persons with clean antecedent and there is inordinate



delay in instituting the FIR and taking into consideration the submissions made by the learned counsel for the petitioners, let the petitioners above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Girtiyak (Pawapuri) P.S. Case No. 276 of 2021.

(Satyavrat Verma, J)

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