

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23106 of 2023

Arising Out of PS. Case No.-355 Year-2022 Thana- KAUWAKOL District- Nawada

1. RUPAN MANJHI Son of Late Ganauri Manjhi Resident of Village - Okhariya, Police Station - Kawakole, District - Nawada.
2. Subham Kumar Son of Biru Manjhi @ Niru Manjhi Resident of Village - Okhariya, Police Station - Kawakole, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar

For the Opposite Party/s : Mr.Atul Chandra

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 23-05-2023 Learned counsel for the petitioners is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners have preferred this application for grant of regular bail in connection with Kawakole P.S. Case No. 355 of 2022 dated 01.07.2022 registered for the offences punishable u/s 147, 341, 323, 325, 354, 379, 308, 504, 506 of the Indian Penal Code.

As per the prosecution case, the petitioners and the co-accused persons came to the house of the informant holding



lathi, danda, iron rod and *tangi* and started abusing Chandwali Manjhi exhorted to kill. In the meantime, the petitioners assaulted the informant with *tangi* causing injury on his head. When the informant's wife and son came to rescue, then one of the petitioners namely Shubham Kumar assaulted with iron rod on the head of the informant's wife and also assaulted the informant's son causing fracture on both the legs. The co-accused also snatched a silver chain from the informant's wife.

Learned counsel for the petitioners has submitted that the petitioners are innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioners. Petitioner No. 1 is an older person aged about 70 years. The injury of Vishun Manjhi was kept reserved and the injured Resham Devi also sustained injury which is simple in nature. The petitioners have got clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 02.02.2023.

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

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-



bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Nawada in connection with Kawakole P.S. Case No. 355 of 2022 with the following condition :

1. The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

The application stands allowed.

(Chandra Prakash Singh, J)

Ajay Singh/-

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