

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25047 of 2023

Arising Out of PS. Case No.-218 Year-2021 Thana- MAHUA District- Vaishali

Lal Bachan Manjhi Son Of Bhola Manjhi R/O Village- Kutupur Laguraon,
P.S.- Mahua, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar
For the Opposite Party/s : Mr. Tapeswar Sharma

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 23-05-2023 Heard the learned counsel for the petitioner and

learned APP for the State.

Let the defect(s), if any, be removed within a
period of four weeks from today.

The petitioner seeks bail in connection with Mahua
P.S. Case No. 218 of 2021 registered for the offence under
Sections 302 of the Indian Penal Code.

The prosecution story in short is that on 29.03.2021
the informant gave her *Fardbeyan* to the police in Hospital that
on 28.03.21 at about 05 PM, there was an altercation between
Sanjay Manjhi and Jeevan Manjhi and the deceased intervened
in the matter, the petitioner became angry and the petitioner



assaulted the petitioner with dab causing injury on the left hand and thereafter the deceased was admitted to Sadar Hospital where he died.

Learned counsel for the petitioner submits that the petitioner is in custody since 31.03.2021. He further submits that the petitioner had no intention to kill the deceased and the allegation is that he had assaulted on the hand of the deceased.

It has also been submitted by the learned counsel for the petitioner that the trial of the petitioner has not started yet and the case is at the stage of cognizance. He further submits that every accused has right of speedy trial and in the present case, because of the fault of the prosecution, the petitioner is languishing in custody since long.

Learned A.P.P. has vehemently opposed the prayer for bail.

Considering the aforesaid facts and the period of custody, this application for regular bail is allowed.

Let the petitioner, above named, be released on bail **after framing of charge if the charge is not framed yet** and on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Vaishali at Hajipur/concerned Court



below in connection with Mahua P.S. Case No. 218 of 2021.

The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on absence on two consecutive dates without sufficient reason, the bail bond shall be cancelled by the Court below.

After framing of charge, the petitioner may file representation application and may be represented by himself or through his lawyers and should not delay the trial of the case.

(Sandeep Kumar, J)

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