

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29738 of 2023

Arising Out of PS. Case No.-524 Year-2022 Thana- SIWAN MUFFASIL District- Siwan

Harendra Kumar Manjhi Son Of Sakaldeep Manjhi @ Sakaladip Manzi
Resident Of Village- Gosai Chapra, P.S-Sarai O.P., District-Siwan

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 04-07-2023 Heard learned counsel appearing on behalf of the parties.

The petitioner seeks bail in connection with Siwan Muffasil P.S. Case No. 524 of 2022 registered for the offence under Sections 341, 323, 324, 307, 504 and 506/34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in custody since 07.01.2023.

The allegation against the petitioner is to assault son of informant, by means of using knife, along with other co-



accused persons, having intention to cause his death, where, reason of occurrence is not explained through F.I.R.

Learned counsel appearing on behalf of the petitioner submitted that petitioner implicated with present case falsely, as present F.I.R. was lodged with delay of 06 days of occurrence, which is not explained. It is submitted that allegation to cause knife injury is specific against other co-accused person, namely, Nitish Kurmi, whereas, allegation against this petitioner is limited to hold injured. It is also submitted that similarly situated co-accused, namely Chandan Kumar, has already been granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No.27690 of 2023 vide order dated 27.06.2023. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has completed, for which, charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as allegation against this petitioner is limited to hold injured, where, specific allegation to cause knife injury is



available against other co-accused person, namely, Nitish Kurmi, coupled with the fact that charge-sheet has already submitted, where, petitioner is in custody since 07.01.2023, let the petitioner, above named, is directed to be released on bail in connection with Siwan Muffasil P.S. Case No. 524 of 2022, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District Judge-VII, Siwan/concerned court, subject to the condition as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

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