

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44018 of 2023**

Arising Out of PS. Case No.-60 Year-2019 Thana- BHAGWANGANJ District- Patna

MUNGERILAL MANJHI @ MUGORI LAL MANJHI @ MUNGERI
MANJHI Son of Late Naresh Manjhi Resident of village - Fatehabad,
Baliyari, P.S. - Bhagwanganj, Distt. - Patna, Bihar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Choubey Jawahar, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

2 12-07-2023

1. Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for bail in connection with Bhagwanganj P.S. Case no. 60 of 2019 registered under section 302 of the Indian Penal Code.

3. The earlier application for bail of the petitioner was rejected vide order dated 26.11.2021 (Annexure-1) passed in Cr. Misc. no. 24321 of 2021. The petitioner is in custody since 6.7.2019.

4. Referring to the deposition of the prosecution witnesses examined in course of trial and which has been brought on record as annexure to the bail petition, learned counsel for the petitioner submits that as per the FIR, it is the informant who claims to be the eye witness to the occurrence.



The said informant was examined in course of trial and he has not supported the prosecution case. The petitioner undertakes to cooperate in the trial.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner in the FIR, contents of the deposition of the prosecution witnesses specially the informant and the petitioner having remained in custody for 4 years since 6.7.2019, the Court directs the petitioner to be enlarged on bail in connection with S.Tr. no.983 of 2019 (arising out of Bhagwanganj P.S. Case no. 60 of 2019) on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-1st, Masaudhi, District -Patna.

(Partha Sarthy, J)

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