

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37544 of 2023

Arising Out of PS. Case No.-34 Year-2023 Thana- ATRI District- Gaya

Jagrup Manjhi S/O Late Munshi Manjhi R/O Village- Kishunpura, PS. Atri,
Dist. Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 46177 of 2023

Arising Out of PS. Case No.-34 Year-2023 Thana- ATRI District- Gaya

1. Sonu Sharma @ Sonu Kumar S/O Nandlal Sharma R/O Village-
Kishunpura, Ps. Atri, Dist. Gaya
2. Rajendra Kumar @ Rajendra Sharma S/O Nandlal Sharma R/O Village-
Kishunpura, Ps. Atri, Dist. Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 46424 of 2023

Arising Out of PS. Case No.-34 Year-2023 Thana- ATRI District- Gaya

Chhotu Manjhi Son Of Aklu Manjhi Village Bhadseni Ps theirua District
Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 37544 of 2023)
For the Petitioner/s : Mr. Shailesh Kumar, Advocate
For the Opposite Party/s : Mrs. Renu Kumari, APP
(In CRIMINAL MISCELLANEOUS No. 46177 of 2023)
For the Petitioner/s : Mr. Shailesh Kumar, Advocate
For the Opposite Party/s : Mrs. Renu Kumari, APP
(In CRIMINAL MISCELLANEOUS No. 46424 of 2023)
For the Petitioner/s : Mr. Shailesh Kumar, Advocate



For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 18-09-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. Petitioners seeks bail who are in custody since 24.01.2023 in connection with Atri P.S. Case No. 34 of 2023, F.I.R. dated 23.01.2023 for the offences punishable under Sections 341, 323, 307, 302, 379/34 of the Indian Penal Code.

3. According to prosecution case, the informant's husband and Navlesh Singh went for the settlement of the marriage of her daughter. Later on, the informant got information that her husband was murdered and Navlesh Singh was being treated in the hospital. It is further alleged that, some scuffle took place and the petitioner and the co-accused persons along with other 10 unknown miscreants tried to snatch the money from the informant's husband and brutally assaulted him due to which he died.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioners have not committed any offences as alleged in the



F.I.R. He further submits that the informant is not the eye witness of the alleged occurrence and merely on the basis of suspicion, the petitioners have been falsely implicated in this case. He further submits that it has come during investigation that the petitioners have caught hold the deceased persons namely, Hare Krishna Kumar and Navlesh Singh and on the basis of suspicion, the villagers have brutally assaulted the husband of the informant, namely, Hare Krishna Kumar and Navlesh Singh. He further submits that nothing has come during investigation to suggest the involvement of the petitioners in the present occurrence and at best the petitioners may be the member of the mob. He further submits that the police after investigation submitted the charge sheet against the petitioners. He further submits that similarly situated, co-accused, namely, Chhotelal Manjhi @ Chhotu Lal Manjhi against whom there is similar allegations has been granted bail by a co-ordinate Bench of their Court vide order dated 24.07.2023 passed in Cr. Misc. No. 41342 of 2023. The petitioners are in custody since 24.01.2023.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners and submits that the petitioners are named in the F.I.R but fairly



submits that there is no material available in the case diary to suggest the involvement of the petitioners in the present occurrence.

6. Considering the aforesaid facts and circumstances, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya in connection with Atri P.S. Case No. 34 of 2023, subject to the following conditions:-

i. petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the



acceptance of bail bonds in terms of the above-mentioned order
shall not be delayed for purpose of or in the name of
verification.

(Rajesh Kumar Verma, J)

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