

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39024 of 2023

Arising Out of PS. Case No.-236 Year-2022 Thana- SHERGHATI District- Gaya

SUNIL MANJHI Son of Late Yogendra Manjhi @ Yogi Manjhi Resident of village - Kathar, P.S.- Sherghati, District - Gaya (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2

For the Opposite Party/s : Mr.Satyendra Narayan Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 13-09-2023 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Section 304 of the Indian Penal Code.

As per prosecution case, on the alleged date of occurrence the deceased after returning from his evening walk came to house and begun abusing family members, the petitioner (son of the informant) protested abusing by the deceased then used fist to petitioner who is anger gave a blow of wooden piece on the head of deceased due to which he become unconscious and subsequently died.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and has committed no offence. He has falsely been implicated in the present case. The informant is



petitioner's mother & deceased wife, who has not made any allegation against her son. The petitioner had no intention to kill his father. No injury has been received by the deceased on assault made by the petitioner. In fact, when the petitioner took the wooden the deceased fell down who was suffering from epilepsy (Mirgi) and received some injury on head. The informant and petitioner both took away him to hospital where some stitches have been given and looking his condition doctor sent him to house, his condition become worst in the night and he died. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. The petitioner is languishing in judicial custody since 23.12.2022.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Sherghati P.S. Case No. 236 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 the learned Additional Chief Judicial-1st, Sherghati, Gaya.

(Sunil Kumar Panwar, J)

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