

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45726 of 2022

Arising Out of PS. Case No.-121 Year-2021 Thana- NAWADA District- Nawada

LOBHI MANJHI @ DWARIKA MANJHI S/o Kali Manjhi Resident of
Village - Guas Chak, Siswan P.S. Nawada, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Deo Raj, Adv.

For the Opposite Party/s : Mr.Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 20-02-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is directed to remove
the defects pointed out by the office within four weeks.

The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 341, 323, 302, 504, 506 read with
34 of the IPC.

As per prosecution case, a dispute took place between the
parties, prior to the occurrence, as a result of which, the F.I.R.
named accused persons are said to have assaulted the son of the
informant, due to which, he died in course of treatment.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case due to ulterior motive.



No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. The alleged date of occurrence is 26.10.2020 but the F.I.R. was lodged on 04.02.2021 i.e. after a delay of more than three months, without giving any plausible explanation. Such a delay, itself creates doubt about the prosecution case. Petitioner, at best can be said to be a member of mob and has no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Nawada Town P.S. Case No.121/2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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