

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54331 of 2023

Arising Out of PS. Case No.-8 Year-2022 Thana- EAST COLONY District- Munger

Krishna Manjhi S/O Niso Manjhi R/O Mohalla- Tikiya Para, Ps. East Colony,
Dist. Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Roushan, Advocate

For the Opposite Party/s : Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-09-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 05.04.2023 in connection with East Colony P.S. Case No. 08 of 2022, F.I.R. dated 07.02.2022 for the offences punishable under Sections 147, 149, 302, 504 and 323 of the Indian Penal Code.

3. According to prosecution case, the petitioner was alleged to have assaulted and killed the son of the informant.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that from the bare perusal of the F.I.R., it appears that there is no accusation of any assault or overt act attributed against the petitioner rather there is general and omnibus allegation against all the accused



persons including the petitioner. He further submits that similarly situated co-accused person against whom there is similar allegation, namely, **Rina Devi**, vide order dated 18.11.2022 in Cr. Misc. No. 43930 of 2022, other co-accused person, namely, **Munni Devi** vide order dated 06.06.2023 in Cr. Misc. No. 27593 of 2023 and **Nirahuwa Manjhi @ Pawan Manjhi** vide order dated 24.06.2023 in Cr. Misc. No. 34480 of 2023, have been granted bail. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 05.04.2023.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate – Ist Class, Munger, in connection with East Colony P.S. Case No. 08 of 2022, subject to the following conditions:-

i. Petitioner 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 his absence on two consecutive dates without sufficient



reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner 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 petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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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