

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61414 of 2023

Arising Out of PS. Case No.-37 Year-2016 Thana- BARABAR TOURIST District- Jehanabad

Doman Manjhi Son Of Bhuneshwar Manjhi Resident Of Village Birra, P.S.-
Barabar Paryatan, District-Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Paras Nath

For the Opposite Party/s : Mr.Kumar Veerendra Narayan

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 12-09-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks.

2. Heard learned counsel for the petitioner and learned A.P.P for the State.

3. The petitioner has preferred this application for grant of regular bail in connection with Barabar Tourism (Vishunganj) P.S. Case No. 37 of 2016 dated 16.10.2016 registered for the offence punishable u/s 341, 323, 307, 448, 302 and 504 read with 34 of the Indian Penal Code.

4. As per the prosecution case, the petitioner and the co-accused persons holding *lathi*, *danda* came near poultry farm and started abusing and assaulting the brother of the informant while he was sleeping.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case.



Nothing has been recovered from the conscious possession of the petitioner. There is general and omnibus allegation against the petitioner and no specific allegation of assault on the head of the injured is attributed against the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 13.05.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that the injury is caused by hard and blunt substance and the injured Malu Kumar died during the course of treatment at PMCH, Patna. It is further submitted that the charge-sheet has been submitted u/s 302 of the IPC against the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody and the allegation being general and omnibus, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Jehanabad in connection with Barabar Tourism (Vishunganj) P.S. Case No. 37 of 2016, with the condition :-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.



8. The application stands allowed.

(Chandra Prakash Singh, J)

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