

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.887 of 2022

Arising Out of PS. Case No.-302 Year-2015 Thana- BARACHATTI District- Gaya

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1. Rajendra Manjhi Son Of Saheb Manjhi Resident Of Village- Baljori Bigha (Jai Prakash Nagar) Ps- Bodh Gaya District - Gaya
 2. Dwarika Manjhi Munna Manjhi Resident Of Village- Baljori Bigha (Jai Prakash Nagar) Ps- Bodh Gaya District - Gaya
 3. Akalu Manjhi @ Akal Manjhi Son Of Late Shyam Manjhi Resident Of Village- Baljori Bigha (Jai Prakash Nagar) Ps- Bodh Gaya District - Gaya
 4. Darogi Manjhi Son Of Kailash Manjhi Resident Of Village- Baljori Bigha (Jai Prakash Nagar) Ps- Bodh Gaya District - Gaya
 5. Bira Manjhi @ Vira Manjhi @ Mahabir Manjhi Son Of Kali Manjhi Resident Of Village- Baljori Bigha (Jai Prakash Nagar) Ps- Bodh Gaya District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Durgesh Nandan

For the Opposite Party/s : Mr. Chandra Sen Pd. Singh

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR

ORAL ORDER

4 10-01-2023 Heard Ld. counsel for the petitioners and Ld. APP
for the State.

The petitioners seek bail in connection with



Barachatti (Mohanpur) P.S. Case No. 302 of 2015, registered for the offences punishable under Sections 302, 201, 120(B) and 34 of the Indian Penal Code and 3/4 of Dayan Act.

The prosecution story as emerges from the FIR is that the petitioners and other 16 accused persons dragged the deceased, Dahu Manjhi from the house and took away towards the field and killed him by slitting his neck. It is further alleged that they buried the dead body in the ditch.

Ld. counsel for the petitioners submit that the petitioners are innocent and have falsely been implicated in this case. He further submits that the allegation against the petitioners is general and omnibus in nature. He also submits that there is no eye witness to the alleged occurrence. He further submits that the name of the petitioners transpired only on the basis of suspicion. He also submits that investigation in this case is complete and charge-sheet has already been submitted.

He further submits that the petitioners have been languishing in jail since 08.08.2021.



It has also been stated in paragraph no. 3 of the bail petition that the petitioners have no criminal antecedents.

It is also stated in paragraph no. 2 of the bail petition that the petitioners have moved this Court earlier for grant of anticipatory bail.

However, Ld. APP for the State vehemently opposes the prayer of the petitioners for bail submitting that alleged offence is serious in nature. He also submits that deceased was handicapped, suffering from paralysis and he was brutally murdered by slitting his neck.

Considering the aforesaid facts and circumstances, particularly nature of allegations and material on record, I am not persuaded to enlarge the petitioners on bail.

The petition is accordingly dismissed.

However, Ld. Trial Court is directed to expedite the trial. In case, the trial is not concluded within a period of 6 months, the petitioners have at liberty to renew his prayer for bail.

Ld. counsel for the petitioners is directed to remove



all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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