

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69776 of 2022

Arising Out of PS. Case No.-319 Year-2021 Thana- PARSA District- Saran

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1. Subodh Manjhi, Son of Awadhesh Manjhi
 2. Arjun Manjhi, Son of Narad Manjhi
- Both R/O Village- Bahalolpur, P.S.- Parsa, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shatrughan Pandey, Advocate
For the Opposite Party/s : Mr.Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 19-04-2023 Heard learned counsel for the petitioners and the
learned APP for the State.

2. Petitioners seek regular bail in connection with
Parsa P.S. Case No. 319 of 2021 dated 26.08.2021 registered for
the offence punishable under Section 302/34 of the Indian
Penal Code.

3. The main submissions advanced by the learned
counsel for the petitioners are that as per the FIR the informant
claimed to have seen both the petitioners and two co-accused
persons fleeing from the spot of crime but he did not reveal the
specific role of the petitioners or co-accused persons in
committing the murder of the deceased and regarding the
manner of occurrence as well as weapons used in the alleged



crime of murder, the statement given by him in the FIR is completely vague and during investigation the witnesses examined did not claim to have seen the alleged occurrence of murder and they simply stated that they got the information about the alleged occurrence as well as alleged role of the petitioners. Further submissions are that two similarly situated co-accused persons namely, Raj Kumar Manjhi and Ram Janam Ray have been granted bail by different benches of this court vide orders passed in Cr. Misc. No. 69064 of 2021 and Cr. Misc. No. 39317 of 2022 respectively and against the petitioners there is criminal antecedent of one case lodged under the Excise Act in which they are on bail and the petitioners have been languishing in jail since 24.08.2022.

4. Learned APP appearing for the State has opposed the bail prayer.

5. Considering the above submissions advanced by learned counsel for the petitioners and mainly the privilege of bail having been granted to two named co-accused persons referred above and the case of both the petitioners is identical to the said co-accused persons in respect of the nature of allegation and also the fact that the investigation has been completed against the petitioners, in the opinion of this court, the



petitioners deserve to a lenient approach of this court.
Accordingly, let the petitioners be released on bail in connection
with Parsa P.S. Case No. 319 of 2021 on furnishing bail bonds
of Rs.10,000/-(Ten Thousand) each with two sureties of the like
amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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