

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66109 of 2022

Arising Out of PS. Case No.-249 Year-2022 Thana- BUNIYAD GANJ District- Gaya

Yogendra Manjhi @ Yugendra Manjhi, S/o Kameshwar Manjhi, R/O Village-
Usari, Tola, Manohar Chak, P.S.- Buniyadganj, Distt- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Saxena, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 14-03-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with
Buniyadganj P.S. Case No. 249 of 2022 registered for the
offence under Sections 341, 323, 325, 307, 504, 506/34 of the
Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 17.08.2022.

The allegation against the petitioner is to assault the
father of the informant alongwith other co-accused
persons/family members by using “*Tangi*” causing injury over
his chest, having intention to cause death, where occurrence is



founded over neighbourhood disputes and differences.

Learned counsel appearing on behalf of the petitioner submitted that petitioner has been falsely implicated in this case out of neighbourhood disputes and differences. It is also submitted that the injury as alleged to be caused by “*Tangi*” blow on chest of father of the informant found, simple in nature and was not sufficient to cause death of the injured in the ordinary course of nature. It is also submitted that nature of injury as found, suggest that petitioner was not under intention to cause death. It is also submitted that wife of the petitioner has also lodged a complaint case against the father of the informant bearing complaint case no. 1254 of 2022 where cognizance has already been taken by the Court. While concluding the argument, it is submitted that petitioner involved in one excise case, where he is on bail and moreover, investigation of this case has already been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer for bail fairly conceded that the nature of injury found upon the father of the informant is simple in nature.

Considering the facts and circumstances as mentioned



above and by taking note of nature of injury, which is simple, coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Buniyadganj P.S. Case No. 249 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. VII, Gaya/concerned Court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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