

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63515 of 2022

Arising Out of PS. Case No.-275 Year-2020 Thana- AKBARPUR District- Nawada

1. Karku Manjhi Son Of Rajo Manjhi @ Rajo Chaudhary
2. Sunil Manjhi Son Of Balak Manjhi @ Rambalak Manjhi
Both R/O Village- Parwalpur, P.S.- Akbarpur, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shankar Kumar, Advocate

For the Opposite Party/s : Mr.Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 22-03-2023 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners seek bail in a case registered for the
offence under Sections 302 and 34 of the Indian Penal Code.

As per the prosecution case, it is stated that the
accused persons namely the petitioner, Saroj Devi, Balak
Manjhi and Sunil Manjhi started to beat up the informant's wife.
On the informant's father intervening, all the accused persons
beat him up. The informant's father was taken to the Sadar
Hospital, Nawada from where he was referred to Pawapuri
Hospital and he died in course of treatment.

Learned counsel appearing for the petitioners submits
that the petitioners have clean antecedent. They have falsely



been implicated in the present case due to dirty village politics. He further submits that from perusal of the FIR it transpires that there is general and omnibus allegation against all the accused persons including the petitioners and there is no specific allegation of any assault or overt-act against the petitioners and the similarly situated co-accused persons have been granted bail by different Coordinate Benches of this Hon'ble Court vide orders at Annexure-2 series to this bail petition and the police, after investigation, submitted chargesheet against the petitioners and the petitioners are in custody since 24.06.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioners.

Considering the facts and circumstances of the case, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Akbarpur P.S. Case no. 275 of 2020 with the following conditions:-

(1) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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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