

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72881 of 2022

Arising Out of PS. Case No.-337 Year-2022 Thana- FATEHPUR District- Gaya

1. MATHURA MANJHI Son of Late Somar Manjhi R/v- Simratand (Shanti Nagar), P.S.- Fatehpur, District- Gaya
2. KULDEEP MANJHI @ KULDIP MANJHI Son of Mathura Manjhi R/v- Simratand (Shanti Nagar), P.S.- Fatehpur, District- Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Sharma

For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 19-06-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioner has prayed for bail in a case instituted for the offence under Sections 147, 148, 149, 341, 323, 504, 506, 427, 379, 307, 302 of the Indian Penal Code.

As per allegation in the FIR, while the informant and his family members are present in their under-construction house, accused persons including the petitioners came there and started to abuse them. On protest, all the accused persons jointly assaulted the informant and his family members as a result of which his wife kanchan Devi sustained injuries and his daughter Pano Devi succumbed to injuries.



It is submitted by learned counsel for the petitioners that petitioners have been falsely implicated in this case due to admitted land dispute. General and omnibus allegation of assault is levelled against the petitioners. They have committed no offence. As per postmortem report, only one lacerated wound over parietal region of head has been found. No specific allegation of assault is against the petitioners. They have got no criminal antecedent and both are languishing in judicial custody since 10.6.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned ACJM-X, Gaya in connection with Fatehpur P.S. Case No. 337 of 2022.

(Sunil Kumar Panwar, J)

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