

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3602 of 2023

Arising Out of PS. Case No.-305 Year-2021 Thana- GAYA MUFASIL District- Gaya

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Badri Manjhi Son Of Late Vishundhari Manjhi Resident Of Village-
Budhgere, P.S.- Muffasil, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Manish Kumar No2
For the Opposite Party/s : Mr.Uday Chand Prasad

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 21-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Gaya Muffasil P.S. Case No. 305 of 2021 registered under sections 147, 148, 149, 323, 307, 504 and 302 of the Indian Penal Code and 3/4 of the (Witchcraft Act) Prevention of Witch Practices Act.

The allegation against the petitioner along other co-accused persons is that they assaulted the informant's father by means of lathi, danda due to which he succumbed to injury.

Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to village politics. It is further submitted that there is no specific overt act of assaulting against the petitioner rather general and omnibus allegation has been levelled against him. It is also submitted that just after the occurrence, the doctor opined that there is no any obvious sign of internal and external injuries on the body of the informant's father and thereafter he died during treatment. During investigation, no any consistent material came against the petitioner. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 25.01.2022.

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

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioner, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Gaya Muffasil P.S. Case No. 305 of 2021 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties



of the like amount each to the satisfaction of the learned
Judicial Magistrate-1st Class, Gaya.

(Sunil Kumar Panwar, J)

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