

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74303 of 2022

Arising Out of PS. Case No.-161 Year-2022 Thana- MAGADH UNIVERSITY District- Gaya

Krishna Manjhi Son Of Panchu Manjhi R/O Village- Motichak, P.S.- Magadh
University, District- Gaya (BIHAR)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No.2, Advocate

For the Opposite Party/s : Mr.Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 26-06-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and the learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since
07.07.2022 in connection with Magadh University P.S. Case
No. 161 of 2022, F.I.R. dated 05.07.2022 registered for the
offence punishable under Sections 307,504 and 34 of IPC and
Section 27 of the Arms Act.

The prosecution case, in short, is that on 03.07.2022
the informant alleged that her neighbours, the petitioner,
Ramdeo Manjhi and Kamdeo Manjhi, due to some previous
dispute, started scuffle with her husband and in the meantime on
order of Ramdeo Manjhi, petitioner fired from his pistol upon
her husband which hit in his chest as a result of which he fell
down and blood started oozing.



Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case. Further submits that the allegation against the petitioner is that he fired upon the husband of the informant. Further submits that the allegation as alleged in the FIR is false and fabricated and petitioner has not committed any offence as alleged in the FIR and the medical evidence of the husband of the informant not supported the allegation as alleged in the FIR and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 07.07.2022.

Learned counsel for the informant and learned APP for the State have vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner carries two more cases other than the present one but fairly submits that the petitioner is on bail in both the cases.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Gaya in connection with Magadh University P.S. Case No. 161 of 2022, with the following conditions:-



(1) Petitioner 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 his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

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

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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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