

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1176 of 2023**

Arising Out of PS. Case No.-271 Year-2021 Thana- KAUWAKOL District- Nawada

GIRANI MANJHI S/O LATE DEOKI MANJHI Resident of village- Koluhar,
P.S.- Kauwakol, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Man Mohan Kumar, Adv.

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

4 22-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since
20.08.2022 in connection with Kauwakol P.S. Case
No.271/2021, F.I.R. dated 25.07.2021, for the offences
punishable under Sections 341, 323, 302 and 34 of the IPC.

According to prosecution case, the petitioner is alleged
to have assaulted the father of the informant on his head by
means of lathi and danda, due to which, he badly injured and
thereafter during course of treatment, the father of the informant
died.

Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that due to



admitted land dispute, the present occurrence has taken place. He further submits that from bare perusal of the F.I.R. it appears that there is general and omnibus allegation against all the accused persons including the petitioner. There is no specific allegation of any assault or overt act is attributed against the petitioner and the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 20.08.2022.

Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, 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 Ms.Niharika Singh, J.M.1st Class, Nawada in connection with Kawakole P.S. Case No.271/2021, subject to 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 absence on two consecutive dates without sufficient reason, his 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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