

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6551 of 2024

Arising Out of PS. Case No.-124 Year-2020 Thana- CHAKAND District- Gaya

1. Mahesh Manjhi, abed about 36 years (M), Son of Late Raghuni Manjhi Resident of Village - Panchu Bigha, Bhagalpur, P.S.- Chakand, District - Gaya.
2. Mithun Manjhi @ Mithil Manjhi, aged about 29 years (M), Son of Mahesh Manjhi, Resident of Village - Panchu Bigha, Bhagalpur, P.S.- Chakand, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate
For the Opposite Party/s : Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 17-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioners are in custody in connection with Chakand P.S. Case No. 124 of 2020 registered for an offence punishable under Sections 147, 149, 341, 323, 302, 504 and 506 of the Indian Penal Code.

As per prosecution case, petitioners and others are alleged to have concertedly assaulted the informant's son with intention to commit murder.

Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case. He next



submits that the alleged sections are not attracted against the petitioners because they were not present at the place of occurrence. He next submits that similarly situated co-accused persons have already been granted regular bail by a co-ordinate Bench of this Court passed in Cr. Misc. No. 70110 of 2021. Petitioners are in judicial custody since 15.09.2023.

However, learned APP for the State opposes the prayer for regular bail of the petitioners.

On perusal of the first information report and postmortem report of the deceased, it appears that the cause of death is haemorrhage and shock and also similarly situated co-accused persons have already been granted regular bail by a Co-ordinate Bench of this Court, considering which, I am inclined to grant bail to the petitioners. Accordingly, 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 learned CJM, Gaya in connection with Chakand P.S. Case No. 124 of 2020 with following conditions:-

(i) The applicant/accused should not extend any threat promise of inducement to the persons acquainted with the facts of the accusation against him so as to dissuade them from



disclosing such facts to the Court or to any police officer.

(ii) The applicant/accused should cooperate the trial court in expeditious disposal of the trial. He should attain each and every date fixed for hearing unless exempted by the learned trial Court.

(iii) The applicant/accused should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.

(iv) The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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