

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8541 of 2024

Arising Out of PS. Case No.-155 Year-2023 Thana- TANKUPPA District- Gaya

1. Ramjeet Manjhi son of Kram Manjhi R/o- Bakichak Ps- Tankuppa Dist- Gaya
2. Ravi Manji son of Ramjeet Manjhi R/o- Bakichak Ps- Tankuppa Dist- Gaya
3. Umesh Manjhi son of Raghu Manjhi R/o- Bakichak Ps- Tankuppa Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 09-04-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Tankuppa P.S. Case No. 155/2023 lodged on 13.08.2023 under Sections 147, 148, 149, 302, 201, 120B of the Indian Penal Code and Sections 3/4 of the The Prevention of Witch (DAAIN) Practices Act 2001.

3. As per the prosecution case, the FIR has been lodged against 28 named accused persons alleging therein that all the accused persons in connivance with each other have attacked the house of the informant and assaulted the husband of the informant as a result of which he died.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Since the petitioner is a responsible person in the village, he has been falsely implicated in the present case. In the FIR, there is nothing against him rather the accusation is omnibus and general. The alleged event is really unfortunate, but there is no involvement of the petitioner in the present case. The petitioner is in custody since 14.08.2023 having no criminal antecedent.

5. Learned counsel for the State opposes the prayer for bail and submits that it is a case of mob lynching.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named be released on bail, **but only after framing of charge, if not framed**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-III, Gaya, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure.

(Dr. Anshuman, J)

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