

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 13028 of 2024

Arising Out of PS. Case No.-416 Year-2021 Thana- MAKHDUMPUR District- Jehanabad

Tanak Manjhi @ Tanak Manjhi @ Aklesh Manjhi Son of Gulabchand Manjhi
R/o vill - Solhanda, P.S. - Makhdumpur, Distt. - Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rudra Deo, Advocate

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 16-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in a case registered for
the offence punishable under Sections 302 and 120(B) of the
Indian Penal Code.

3. As per allegation in the FIR, it is a case of murder
of the brother of the informant by the petitioner and other co-
accused persons.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. Petitioner has
got clean antecedent as stated in para-3 of the petition and he is
in custody since 24.08.2022.

5. Learned App for the State opposes the prayer for



bail of the petitioner and submitted that there is direct involvement of the petitioner in the alleged offence.

6. On perusal of the first information report, case diary and impugned order dated 10.05.2023, it appears that the petitioner along with other co-accused persons as part of conspiracy murdered the informant's brother and dumped his body in front of Krishna Manjhi's house. On perusal of paragraph no.1 of the case diary, it appears that there is blood stains on various places near the dead body and the body was dragged which created of path of blood stains where the body was dragged. The room of Kanak Manjhi was also filled with blood stains at all places and the room was also in a very haphazard manner. The accused persons dragged the deceased and slammed the head on the cattle feeder. One spade was also found in the room and on examination of the dead body, it appears that the spade was used to cut the head in half with the spade and further attack the victim in a very gruesome manner.

7. The postmortem report of the deceased reveals that the cause of the death of the deceased was internal pain and shock due to wound found on the body and head of the deceased. From perusal of the seizure list, mentioned in para-24 of the case diary, it appears that the hoe with a wooden handle



was found stained with blood.

8. Considering all aspects of the material, the nature of the crime and the seriousness of the heinous offence as alleged by the petitioner, I am not inclined to grant bail to the petitioner.

9. Prayer for bail of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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