

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.15187 of 2024**

Arising Out of PS. Case No.-359 Year-2022 Thana- PALASI District- Araria

Mayanand Manjhi, aged about 50 years, Gender-Male, Son Of Late Sugaa Manjhi Resident Of Village- Bhattabari, Ward No. 2, Ps- Palasi, Distt- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr Mrigendra Kumar, Advocate

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

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

ORAL ORDER

2      18-03-2024                      Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Palasi P.S. Case No.-359 of 2022 registered for the offence under Sections 302, 2011 and 120(B) of the Indian Penal Code.

3. As per the allegation in the FIR, it is a case of murder of the informant's brother by assaulting and pressing his neck and hanged the dead body on a tree.

4. Learned counsel for the petitioner has submitted that petitioner has falsely been implicated in this case only because he is the gotiya of co-accused Nandlal Manjhi. He next submits that there is general and omnibus allegation against the petitioner and from perusal of the FIR, it appears that the



informant has not an eye witness of the alleged occurrence and in fact, no one has seen the alleged occurrence. He next submits that similarly situated co-accused have already been granted bail by a Co-ordinate Bench of this Court passed in Cr. Misc. Nos. 29371 of 2023 and 43938 of 2023. Petitioner has got clean antecedent and he is in custody since 01.11.2023.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case and also the fact that similarly situated co-accused have already been granted bail by a Co-ordinate Bench of this Court, let the petitioner, above named, be directed to be released on bail in connection with Palasi P.S. Case No.359 of 2022 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-I, Araria, subject to the following conditions:-

(I) Petitioner shall cooperate 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 trial court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the trial court.

(ii) If the petitioner tamper with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(iii) and further conditions 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 trial court shall take steps 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.

**(Ramesh Chand Malviya, J)**

Brajesh Kumar/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

