

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40533 of 2024

Arising Out of PS. Case No.-121 Year-2021 Thana- NAWADA District- Nawada

RAJESH MANJHI S/O LALO MANJHI RESIDENT OF VILLAGE-
GAUSCHAK SISWAN, ,P.S.- NAWADA, DISTRICT- NAWADA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Deo Raj, Adv.

For the Opposite Party/s : Mr.Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 19-07-2024 1. The present petition is by way of third attempt, at the behest of the petitioner, for grant of regular bail in connection with S.Tr. No.417 of 2023, arising out of Nawada Town P.S. Case No.121 of 2021, registered for offences punishable under Sections 341/323/302/504/506/34 of the Indian Penal Code, inasmuch as the earlier petitions, filed by the petitioner for grant of regular bail have stood dismissed by this Court, vide orders dated 10.01.2023 and 02.08.2023, passed in Cr. Misc. No.15612 of 2022 and Cr. Misc. No.48359 of 2023.

2. The accusation levelled against the accused persons including the petitioner herein is that the land/field of the informant is situated near *Aahar* (raised pathway), and on the side of it some Mahadalit families have constructed their



houses near Sisma Mushahari river and whenever the informant sows a crop, the persons belonging to Mahadalit community destroy the said crops by leaving animals in the field of the informant. It is also alleged that in the current year also the informant had sowed crops but the said people had destroyed the same by leaving their animals in the field, who had eaten the said crops leading to an altercation in between the son of the informant and the accused persons. It is further alleged that on 26.10.2020 at about 14:00 in the afternoon, while the son of the informant, namely, Deepak Kumar along with his friend Sonu Kumar was going to his field for watching his crops, on the way the accused persons including the petitioner herein had surrounded the son of the informant and his friend and had started assaulting them leading to the son of the informant sustaining serious injuries on his head, whereafter he had become unconscious, however, upon the other person, namely, Sonu Kumar having raised an alarm, the persons working in the field had arrived there leading to the accused persons fleeing away. Thereafter, the injured persons were brought to the hospital, however, subsequently the son of the informant died.

3. The learned counsel for the petitioner submits that



the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 24.12.2021 and there is no progress whatsoever in the on going trial, hence the petitioner be granted the privilege of regular bail.

4. Per contra, the learned APP appearing for the State has vehemently opposed the prayer for regular bail and has submitted that the earlier order of this Court dated 10.01.2023 is quite a detailed order, in which the materials available in the case diary have been referred to and from the same it is apparent that the petitioner has been found prima facie responsible for assaulting the informant and his son, leading to the death of the son of the informant on account of the injuries inflicted by the accused persons, hence no sympathy should be shown to the petitioner.

5. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record, this Court finds that there are ample materials on record to suggest the complicity of the petitioner in the alleged crime, apart from the fact that there is no change in circumstance so as to warrant reconsideration of the prayer of the petitioner for



grant of regular bail, hence, the present petition stands
dismissed.

(Mohit Kumar Shah, J)

sonal/-

U		T	
---	--	---	--

