

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41651 of 2024

Arising Out of PS. Case No.-172 Year-2023 Thana- MANPUR District- Nalanda

HAZARI MANJHI @ VINOD MANJHI S/O UPENDRA MANJHI R/O
MAKDUMPUR, TARAPAR, P.S- MANPUR, DISTT.- NALANDA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nitee Ranjan, Advocate

For the Opposite Party/s : Mr.Jharkhandi Upadhyay, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 19-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Sessions Trial No. 136 of 2024, arising out of Manpur P.S. Case No. 172 of 2023 instituted for the offences under Sections 188, 302/34 of the Indian Penal Code and Sections 25(1-b)a, 26, 35, 27 and 25(9) of the Arms Act.

3. Prosecution case, in short, is that on 10.09.2023, the cousin brother of the informant organized a function and invited friends and family members. It is further alleged that Shukar Manjhi @ Arun Manjhi made celebratory firing from his pistol which hit on the head of the informant, as a result of which he died.



4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. No specific overt act is alleged against the petitioner and the allegation against the petitioner is general and omnibus in nature. Learned counsel further submitted that specific allegation of celebratory firing has been made against co-accused Shukar Manjhi @ Arun Manjhi. Learned counsel further submitted that petitioner has falsely been implicated by the informant on the ground of mere suspicion as the petitioner was also present in the said invitation/celebration. Learned counsel further submitted that similar co-accused has already been granted bail by the court below itself. It has been submitted on behalf of the petitioner that the petitioner is in custody since 11.12.2023 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Manpur P.S. Case No. 172 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

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