

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47919 of 2024

Arising Out of PS. Case No.-276 Year-2023 Thana- AMAS District- Gaya

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RAMESH MANJHI @ RAMESH MANDAL SON OF LAGA MANDAL @
NAGA MANDAL VILLAGE- CHITAB KHURD, P.S.- AMAS, DISTT.-
GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

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

ORAL ORDER

3 18-09-2024 Heard learned counsel for the petitioner, learned APP
for the State and perused the case diary.

2. The petitioner seeks bail in connection with Amas
P.S. Case No. 276 of 2023 instituted for the offences under
Sections 302 of the Indian Penal Code.

3. Prosecution case, in short, is that, when the
informant was in the agricultural field, he received information
that his elder brother was being assaulted by his neighbour
Ramesh Manjhi (petitioner). On this information, informant
reached the place of occurrence and found the dead body of his
brother lying there. The villagers informed the informant that
his brother was done to death by the petitioner by pressing his
neck.



4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel further submitted that the entire allegation against the petitioner is based on hearsay evidence and, in fact, there is not a single eye-witness to the occurrence. Learned counsel also submitted that statements of four witnesses have been recorded but none of them claimed to be eye-witnesses. Learned counsel further submitted that, as per the FIR, the death of deceased has been caused by pressing her neck and assault by fists and slaps but the same is falsified by the inquest report as incorporated in paragraph-2 of the case diary. It has been submitted on behalf of the petitioner that the petitioner is in custody since 31.07.2023 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, no any specific material against the petitioner to establish his involvement in the alleged occurrence, 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 Amas P.S. Case No. 276 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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