

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47004 of 2024

Arising Out of PS. Case No.-62 Year-2024 Thana- EKMA District- Saran

Raja Kumar @ Raja Kumar Manjhi @ Dhirendra Manjhi S/O Govardhan
Manjhi R/O Village- Parsagarh, Bazar, Turhatoli, P.S- Ekma, Distt.- Saran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash, Advocate

For the Opposite Party/s : Mr.Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 25-09-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Ekma P.S. Case No. 62 of 2024, registered on 19.02.2024 for the offences under Sections 302/34 of the Indian Penal Code.

3. As per prosecution case, the petitioner and other co-accused persons urinated on the land of the informant and when father of the informant scolded them then they pushed the father of the informant who fell down, sustained injury and died.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case as the postmortem report shows the cause of death could



not be ascertained and viscera was preserved. The postmortem report did not show any external injury and hence, the allegation of pushing and causing injury to the father of the informant is falsified. Learned counsel further submits that in a Tilak ceremony, the petitioner and father of the informant were participating when some altercation took place and the father of the informant collapsed, who was treated by the doctor and died during treatment. The deceased was aged about 70 years and has been suffering from heart ailment. The petitioner and informant are next door neighbour and petitioner is having clean antecedent.

5. Learned APP opposes the submission made on behalf of the petitioner. Learned APP submits that there is specific allegation against the petitioner and other co-accused persons and the witnesses have named the petitioner and co-accused persons who pushed down the father of the informant after assaulting.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the postmortem report not showing any external injury or cause of death due to any internal injury or other reasons and viscera being preserved and further considering the possibility of false



accusation, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned ACJM 9th, Saran at Chapra/concerned court in connection with Ekma P.S. Case No. 62 of 2024, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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