

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70082 of 2024

Arising Out of PS. Case No.-662 Year-2022 Thana- DHANARUA District- Patna

Vithal Manjhi @ Arjun Manjhi son of Late Budhai Manjhi @ Budhay Manjhi
village- Anjani, Ps- Dhanaura, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Surendra Kumar Singh, Advocate
		Mr. Arun Kumar Choudhary, Advocate
For the Opposite Party/s	:	Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 6 13-12-2024 1. Heard Mr. Surendra Kumar Singh, learned counsel
for the petitioner and Mr. Nand Kishore Prasad, learned APP
for the State.
2. Petitioner seeks regular bail in connection with
Dhanarua P.S. Case No. 662 of 2022 dated 06.11.2022
registered for the offence punishable under Section(s) 302/34 of
the Indian Penal Code and Section 27 of the Arms Act.
3. The main submissions advanced by the learned
counsel for the petitioners are that this is the second attempt of
the petitioner to get the relief of regular bail as his earlier bail
prayer was rejected by a co-ordinate bench of this court vide
order dated 03.01.2024 passed in Cr. Misc. No. 63584 of 2023
by which the trial court was directed to expedite the trial of the



petitioner and conclude the same as soon as possible and in the present time there is no progress in the trial of the petitioner. It is further submitted that the petitioner has been languishing in jail since 12.12.2022 and he has got fair and clean antecedent and as per the FIR, altogether seven accused persons including the petitioner assaulted the deceased by means of *khanti* and one of the co-accused used firearm in that occurrence and out of the named accused persons, three co-accused namely, Chhotu @ Manjhi @ Fauzi Manjhi @ Chhote Manjhi, Tikar Manjhi @ Kamlesh Manjhi and Rambhaju Manjhi have been granted regular bail vide orders dated 27.07.2023, 08.08.2023 and 05.09.2023 passed in Cr. Misc. Nos. 45435 of 2023, Cr. Misc. 42281 of 2023 and Cr. Misc. No. 55810 of 2023 respectively by this bench as well as then co-ordinate bench of this court and in view of the present custody period the case of this petitioner stands on better footing from them.

4. Learned APP appearing for the State has opposed the bail prayer of the petitioner.

5. Considering the above submissions and mainly taking into account the status report of the trial of the petitioner sent by the trial court which shows that upon the petitioner the charge was framed on 17.02.2024 but thereafter no prosecution



witness has turned up till the date of sending the status report and the prosecution is completely careless in producing the witnesses and the petitioner has been languishing in jail since 12.12.2022 and several co-accused persons carrying almost similar nature of allegation are on bail, in my opinion, in the said circumstances, the petitioner now deserves to the privilege of bail. Accordingly, let the petitioner named-above be released on bail on furnishing bail bond of Rs. 20,000/-(Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Dhanarua P.S. Case No. 662 of 2022.

(Shailendra Singh, J)

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