

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79018 of 2024

Arising Out of PS. Case No.-223 Year-2022 Thana- MANPUR District- Nalanda

Arvind Manjhi S/o Naurangi Manjhi, R/o Village- Hargawan, P.S.- Manpur,
District- Nalanda.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

with

CRIMINAL MISCELLANEOUS No. 79033 of 2024

Arising Out of PS. Case No.-223 Year-2022 Thana- MANPUR District- Nalanda

Ramesh Kumar @ Laddu Manjhi @ Ramesh Kumar @ Manjhi @ Ramesh
Kumar Manjhi Son of Nandu Manjhi, Resident of village -Hargawan, PS-
Manpur, Dist- Nalanda.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

(In CRIMINAL MISCELLANEOUS No. 79018 of 2024)

For the Petitioner : Mr. Ranjeet Kumar Mishra, Advocate

For the Opposite Party : Mr. Chandra Sen Prasad Singh, APP

(In CRIMINAL MISCELLANEOUS No. 79033 of 2024)

For the Petitioner : Mr. Ranjeet Kumar Mishra, Advocate

For the Opposite Party : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 26-11-2024 Both the criminal miscellaneous petitions have

arisen out of the same police station case number, hence they are

being heard together and decided by a common order.

2. Heard Mr. Ranjeet Kumar Mishra, the learned

counsel for the petitioners and Mr. Chandra Sen Prasad Singh,

the learned Additional Public Prosecutor for the State.

3. Both the petitioners seek regular bail and petitioner

in Cr. Misc. no. 79018 of 2024 is in custody since 16.08.2024



and petitioner in Cr. Misc. No. 79033 of 2024 is in custody since 06.08.2024, in connection with Manpur P.S. Case No. 223 of 2022, FIR dated 10.09.2022, registered for the offences punishable under Sections 147, 149, 341, 323, 324, 325, 307, 379 and 504 of the Indian Penal Code.

4. According to the prosecution case, all the FIR named accused persons including the petitioners, variously armed, entered into the house of informant and assaulted informant and his family members due to which the informant and his son suffered injuries. It is further alleged that one Bebi Devi took away she-goats and Rs. 10,000/- (rupees ten thousands only) from informant's house.

5. Learned counsel for the petitioners submits that petitioners have clean antecedent, they have falsely been implicated in the present case and there is case and counter case between the parties as well. He further submits that from the perusal of FIR, it appears that FIR is in two parts; in the first part there is specific allegation of assault attributed against the co-accused persons, in the second part there is general and omnibus allegation against all the co-accused persons including the petitioners. He lastly submits that the police after investigation has submitted chargesheet against the petitioners



and petitioner in Cr. Misc. no. 79018 of 2024 is in custody since 16.08.2024 and petitioner in Cr. Misc. No. 79033 of 2024 is in custody since 06.08.2024.

6. The learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioners.

7. Considering the aforesaid facts and circumstances and mainly the facts that petitioners have clean antecedent and there is case and counter case between the parties, let the petitioners, above-named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten Thousand only) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-V, Nalanda, Bihar Sharif, in connection with **Manpur P.S. Case No. 223 of 2022**, subject to the following conditions:

(i). Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the learned trial Court and shall remain physically present as directed by the learned trial Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the learned trial Court.

(ii). If the petitioners tamper with the evidence or



the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(iii). And further condition that the learned trial Court shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the learned trial Court shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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