

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82401 of 2024

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

Pintu Manjhi Son of Vijay Manjhi, R/o Village -Harganwan, PS - Manpur,
District - Nalanda.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Raj Kishor Prasad, Advocate
For the Opposite Party : Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 03-12-2024 Heard Mr. Raj Kishor Prasad, the learned counsel
for the petitioner and Mr. Zainul Abedin, the learned Additional
Public Prosecutor for the State.

2. Petitioner seeks regular bail who is in custody since
24.07.2024, 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, 323, 341, 324, 325, 379,
307 and 504 of the Indian Penal Code.

3. According to the prosecution case, the co-accused
persons, variously armed, came at the door of informant and
assaulted the informant and his family members due to which
informant's hand broke. It is further alleged that one Baby Devi
took away a goat and bag worth Rs. 10,000/- (rupees ten
thousand only).

4. Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that from bare perusal of the FIR, it appears that date of occurrence as alleged in the FIR is on 08.09.2022 while the FIR has been instituted on 10.09.2022, after a delay of two days without giving any explanation for the delay. He further submits that the present FIR is in two parts; in the first part, there is specific allegation against the co-accused persons that they have assaulted the informant and other family members and in the second part, there is general and omnibus allegation against all the co-accused persons including the petitioner. He further submits that other co-accused persons namely, Arvind Manjhi and Ramesh Kumar @ Laddu Manjhi have been granted bail vide order dated 26.11.2024 passed in Cr. Misc. No. 79018 of 2024 and Cr. Misc. No. 79033 of 2024 respectively. He lastly submits that the police after investigation has submitted the charge sheet against the petitioner and the petitioner is in custody since 24.07.2024.

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

6. Considering the aforesaid facts and circumstances and mainly the facts that petitioner has clean antecedent, FIR



has been lodged after a delay of two days and similarly situated co-accused persons have been granted bail by this Court, let the petitioner, above-named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten Thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-V, Nalanda at Biharsharif, in connection with **Manpur P.S. Case No. 223 of 2022**, subject to the following conditions:

(i). Petitioner 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the learned trial Court.

(ii). 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.

(iii). And further condition that the learned trial Court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedent, the learned trial Court shall take step for cancellation of bail bond of the petitioner. 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)

Shahnawaz/-

U		T	
---	--	---	--

