

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21668 of 2025

Arising Out of PS. Case No.-142 Year-2024 Thana- ASANWA District- Siwan

Swaminath Manjhi S/O Late Madan Manjhi Resident Of Village- Pachbeniya,
P.o.- Kashila, P.s.- Assaon, Dist.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sharda Nand Mishra, Advocate
	:	Mr. Dhandev Kumar, Advocate
	:	Ms. Isha Mishra, Advocate
	:	Mr. Atul Kumar, Advocate
For the Opposite Party/s	:	Mr. Awadhesh Kumar Singh, APP

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

ORAL ORDER

3 16-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Assaon
P.S. Case No. 142 of 2024 instituted for the offences under
Sections 137(2) of the Bharatiya Nyaya Sanhita, 2023 and later
on Sections 105, 238(4) of the Bharatiya Nyaya Sanhita, 2023
was added.

3. Prosecution case, in short, is that, on 03.12.2024,
the informant's son left his house for doing work at the brick
kiln but did not return.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.



Petitioner is not named in the F.I.R. The name of the petitioner transpired in this case during investigation on the basis of disclosure made by spy. Learned counsel further submitted that petitioner never committed the murder of the deceased, but as a matter of fact, the deceased had epilepsy and on the date of occurrence when the petitioner was ploughing his fields, the deceased had the epilepsy attack and fell on the ground and was run down by the tractor. Learned counsel further submitted that as per paragraph no. 55 of the case diary, this petitioner has confessed that when the deceased died, the petitioner disposed of his dead body near the bank of Saryu river. Learned counsel further submitted that one of the witnesses has also stated before police that deceased was suffering from epilepsy. It has been submitted on behalf of the petitioner that the petitioner is in custody since 20.12.2024 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, nature of offence 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 Assaon P.S. Case No. 142 of 2024.

(Rudra Prakash Mishra, J)

Alok Verma/-

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