

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.67299 of 2024

Arising Out of PS. Case No.-66 Year-2024 Thana- MAHKAR District- Gaya

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1. Umesh Manjhi Son of Baudhu Manjhi R/O Vill.- Adampur, P.S.- Mahkar, Dist.- Gaya.
 2. Sanjeev Manjhi Son of Dukhu Manjhi R/O Vill.- Adampur, P.S.- Mahkar, Dist.- Gaya.
 3. Nanhu Manjhi Son of Bhagvat Manjhi R/O Vill.- Adampur, P.S.- Mahkar, Dist.- Gaya.
 4. Sukari Devi Wife of Nanhu Manjhi R/O Vill.- Adampur, P.S.- Mahkar, Dist.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Anil Kumar Singh, Advocate
		Ms.Ojaswee Kumari, Advocate
For the Opposite Party/s	:	Mr.Mohammad Sufyan, APP
For the informant	:	Mr. Arvind Kumar Sinha, Advocate

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

3 29-01-2025 Heard Mr. Anil Kumar Singh along with Ms. Ojaswee Kumari, learned counsels appearing on behalf of the petitioner; Mr. Mohammad Sufyan, learned APP for the State and Mr. Arvind Kumar Sinha, learned counsel for the informant.

2. The petitioners seek pre-arrest bail in connection with Mahkar P.S. Case No. 66 of 2024 registered for the



offence(s) punishable under Sections 147, 148, 149, 448, 341, 342, 323, 307, 302, 504, 506 and 120(B) of the Indian Penal Code and Section 3/4 of Prevention of Dian Witch Act.

3. As per the allegation made in the FIR, the petitioners along with other co-accused with a common intention to kill the father of the informant committed his murder.

4. Learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent and have falsely been implicated in the present case due to dirty village politics. He further submitted that allegation against the petitioners is general and omnibus and there is no direct allegation of assault against the present petitioners rather the allegation of locking the father of the informant after assault in an Aanganwari Centre is against co-accused Madan Manjhi, Barhan Manjhi, Rohit Manjhi, Jatan Manjhi and Manoj Manjhi. The petitioners have clean antecedent and they are in no manner are involved in the alleged crime.

5. Learned counsel appearing on behalf of the informant has vehemently opposed the prayer for grant of pre-arrest bail and submitted that the brutal murder of the father of the informant was committed with a common intention by all



the accused persons including the present petitioners and the regular bail of one co-accused Madan Manjhi was rejected by a co-ordinate Bench of this Court and as such, the petitioners don't deserve to be released on pre-arrest bail.

6. Learned APP for the State has also vehemently opposed the prayer for grant of pre-arrest bail.

7. Having considered the rival submissions made on behalf of the parties and also considering the nature of allegation made against the petitioners, which is general and omnibus and specific allegation of locking the father of the informant after assault in a room is against co-accused Madan Manjhi, Barhan Manjhi, Rohit Manjhi, Jatan Manjhi and Manoj Manjhi and also the fact that the petitioners have clean antecedents, I am of the opinion that petitioners have, prima facie, made out a case to be released on pre-arrest bail.

8. The petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, 1st Gaya in connection with Mahkar P.S.



Case No. 66 of 2024, subject to the conditions as laid down
under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

Sanjay/-

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