

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78171 of 2024

Arising Out of PS. Case No.-453 Year-2024 Thana- AMARPUR District- Banka

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Dinesh Manjhi, age about 35 years, Male, S/o Bindeshwari Manjhi, R/o Village Itwa, Mushahari Tola, P.S. Fulidumar, Dist. Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Pandey, Adv.

For the Opposite Party/s : Mr.Shailendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 27-01-2025 Heard learned counsel for the petitioner and learned APP for the State. Perused the case diary.

2. The petitioner seek bail in connection with Amarpur (Fullidumar) P.S. Case No. 453 of 2024 instituted for the offences under Sections 126(2), 115(2), 303(2), 352, 351(2), 118(1), 103(1), 109, 3(5) of the Bhartiya Nyaya Sanhita.

3. As per prosecution case, the allegation against the accused persons including the petitioner is of assaulting the Informant and her husband by means of *lathi*, *danda* and rod.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case due to local politics. He further submits that there is no direct or



specific allegation of any overt act against the petitioners rather the same is general and omnibus in nature. He further submits that three persons sustained injuries in the alleged occurrence and from the injury report, it appears that the injury sustained by Vinay Manjhi was grievous, he was taken to the Hospital for his treatment but, during treatment, he died and charge-sheet was submitted under Section 103 of the B.N.S. The injury received by rest two of the injured are simple in nature. The petitioner has no criminal antecedent. The petitioner is in custody since 25.07.2024 without any rhymes or reason. Learned counsel for the petitioner again submits that the co-accused have already been granted bail by this Court vide order dated 23.01.2025 passed in Cr. Misc. No. 77066 of 2024.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged against the petitioner are serious in nature. Three persons were injured in the alleged occurrence who have sustained injuries on their head. From Para-39 of the case diary, it appears that the injured Vinay Manjhi died during course of his treatment in the P.M.C.H., Patna.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as



also taking into account the period of custody of the petitioner, the petitioner having no criminal antecedent as also the prayer for bail being based on parity, let the petitioner, abovenamed, 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 Amarpur (Fullidumar) P.S. Case No. 453 of 2024.

(Rudra Prakash Mishra, J)

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