

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90624 of 2025

Arising Out of PS. Case No.-369 Year-2021 Thana- BARACHATTI District- Gaya

Budhan Manjhi @ Budhan Mandal @ Buddhan Manjhi Son of Late Krishna Manjhi @ Late Krishna Mandal Resident of Village- Gangi, P.S.- Barachatti, District- Gaya (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 10-04-2026 Heard Mr. Shailesh Kumar Singh, learned counsel

for the petitioner as well as Mr. Shailendra Kumar, learned

Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 08.02.2022 in connection with Barachatti P.S. Case No. 369 of 2021, F.I.R. dated 21.06.2021 for the offences punishable under Sections 302 of Indian Penal Code and $\frac{3}{4}$ of Diyan Pratha Act.

3. According to prosecution case, the informant alleged that on 21.06.2021, in the evening his mother had gone outside to take wheat, while she was returning from there, at Teen Muhaan, this petitioner stopped his mother and told her that she was Dayan and had killed his daughter by doing black magic and started beating her with lathi due to which she



succumbed on the spot.

4. Earlier the bail application of the petitioner was rejected on 20.06.2023 in Cr. Misc. No. 65537 of 2022. Thereafter, again the petitioner moved for grant of bail in Cr. Misc. No. 69648 of 2021 which was dismissed as withdrawn on 07.11.2025.

5. 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 the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. From bare perusal of the FIR it appears that due to some petty dispute the present occurrence has taken place and the petitioner is in custody since 08.02.2022 and trial is not in progress and charge has been framed against the petitioner on 23.08.2022.

6. Vide order dated 07.01.2026 a report was called with regard to stage of the trial. Report of the learned Trial Court dated 13.03.2026 reveals that out of six charge sheet witnesses, the prosecution has not examined any witness as yet. He further submits that in view of the report of the learned Trial Court the trial is not likely to be concluded in the near future .



7. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

8. Considering the aforesaid facts and circumstances, report of the trial court as well as period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Sherghati, Gaya, Bihar in connection with Barachatti P.S. Case No. 369 of 2021, 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 court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

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 court below 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 court below 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)

Suruchi/-

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

