

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16808 of 2015

Arising Out of PS.Case No. -131 Year- 2013 Thana -AADAPUR District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Birendra Ram Son of Late Yodha Ram
2. Harendra Manjhi Son of late Bhola Nath alias Bholi Manjhi
3. Shri Bhagwan Manjhi son of Late Solar Manjhi
4. Bindeshwari Yadav alias Bindeswari Rai son of Basdeo Yadav
5. Dharikshna Manjhi alias Dharikchan Ram son of Late Janak Ram All
residents of Katkenwar, P.S. - Adapur, District - East Champaran
.... Petitioners

Versus

1. The State of Bihar
.... Opposite Party

=====

Appearance :

For the Petitioners : Mr. Binod Kumar Singh, Advocate
For the Opposite Party : Mr. Rajendra Nath Jha (App)

=====

CORAM: HONOURABLE MR. JUSTICE GOPAL PRASAD
ORAL ORDER

3 17-08-2015 Heard the learned counsel for the petitioners and the
State.

This is a petition for grant of regular bail for offence under Sections 147, 148, 149, 448, 380, 447, 302 and 120B of the Penal Code and 27 of the Arms Act.

There are five petitioners in this petition. however, there is direct allegation against petitioner no. 4 (Bindeshwari Yadav alias Bindeswari Rai) to have fired causing injury to Shivnath Rai by which he succumbed to injury. One Rita Devi specifically stated and claimed to be the eye witness regarding the firing by Bindeshwari Yadav alias Bindeswari Rai, however, with to other four accused there is no allegation and only there were seen fleeing away.

Having regard to the facts and circumstances of the case, I am not inclined to grant bail to petitioner no. 4.

The prayer for bail on behalf of petitioner no. 4, above named, is **rejected**.

So far other four petitioners, i.e., petitioners 1, 2, 3 and 5, above named, are concerned they are directed to be released on bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each in connection with Adapur P.S. Case No. 131 of 2013 to the satisfaction of the Subdivisional Judicial Magistrate, Raxaul at Motihari.

(Gopal Prasad, J)

SA/-

U	√	T	√
---	---	---	---