

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34016 of 2015

Arising Out of PS.Case No. -224 Year- 2013 Thana -ATRI District- GAYA

=====

1. Bhoma Manjhi Son of Late Sunaina Manjhi
2. Dhanpat Manjhi Son of Bhuneshwar Manjhi Both Resident of village -
Gahlour, P.S. Atri, District - Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Kundan Kumar

For the Opposite Party/s : Mr. Ram Sumiran Roy (App)

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 10-11-2015 Heard learned counsel for the petitioners as well
as the learned A.P.P.

The petitioners seek bail in a case registered for
the offences punishable under sections 321, 323, 324, 504/34 of
the Indian Penal Code and later on section 302 I.P.C. was also
added.

The petitioners and co-accused Pukash Manjhi
assaulted Karu Manjhi with lathi and tangi and also assaulted the
informant ,who were returning home.

Submission is of false implication and that
during investigation the informant in his further statement has
specifically stated that Pukash Manjhi with an intention to kill

Karu Manjhi assaulted with tangi on his head causing rapture of the head and bleeding. Further the informant was also assaulted and as such petitioners deserve sympathetic consideration as they are not the assailant and they are in custody since 11.3.2015 having no criminal antecedent.

The learned A.P.P. does not controvert the aforesaid submission.

In the facts and circumstances stated above and considering that the co-accused Pukash Manjhi is the assailant, the above named petitioners are directed to be enlarged on bail on their execution of bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of Chief Judicial magistrate, Gaya in Atri P.S. Case No. 224 of 2013, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

M.Rahman/-

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