

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.18526 of 2015**

Arising Out of PS.Case No. -17 Year- 2015 Thana -MAGADH MEDICAL COLLEGE District-  
GAYA

- =====
1. Pappu Kumar @ Pappu Kahar son of Bahadur Kahar.
  2. Rajana Manjhi @ Rajan Manjhi Son of Kirit Manjhi.
  3. Chhotu Manjhi @ Chhotu Manjhi son of Late Panchy Manjhi.
- All resident of village- Kaler, Police Station- Magadh Medical, District- Gaya.
4. Upendra Manjhi son of Nathuni Manjhi, resident of village + Post - Khaneta, Police Station- Tekari, District- Gaya.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA**  
**ORAL ORDER**

2      15-06-2015                      Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioners for the offence punishable under Section- 379 of the Indian Penal Code and the fact that there is not only a vague omnibus allegation against the petitioners but also the fact that the implication of the petitioners is based on mere speculation, this Court keeping in view that the petitioners have also got no criminal antecedent, would be inclined to grant the privilege of anticipatory bail to the petitioners.

That being so, if the petitioners namely, **Pappu Kumar, Rajana Manjhi, Chhotu Manjhi and**



**Upendra Manjhi**, surrender within a period of four weeks from today, they would be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of **Chief Judicial Magistrate, Gaya** in connection with **Magadh Medical P.S. Case No. 17 of 2015**, subject to the conditions laid down under Section-438 (2) Cr. P.C and also subject to the following conditions:-

(i) That the court below shall make verification of criminal antecedent of the petitioners and if it is found that they are accused in any other criminal case, they shall not be granted bail and would be taken into custody.

(ii) That both the bailors will be close relative of the petitioners who will give an affidavit giving genealogy as to how they are related with the petitioners. The bailors will also undertake to inform the Court if there is any change in the address of the petitioners.

(iii) That the bailors shall also state on affidavit that they will inform the Court concerned if the petitioners are implicated in any other case of similar nature after their release in the present case

and thereafter the Court below will be at liberty to initiate the proceeding for cancellation of their bail on the ground of misuse.

(iv) That the petitioners will give an undertaking that they will receive the police papers on the given date and be present on the date fixed for charge and if they fail to do so on two given dates and delays the trial in any manner, their bail will be liable to be cancelled for reasons of misuse.

(v) That the petitioners will be well represented on each and every date of trial and if they fail to do so on two consecutive dates, their bail will be liable to be cancelled on this ground alone.

Ranjan/-  
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**(Mihir Kumar Jha, J)**