

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.27196 of 2015**

Arising Out of PS.Case No. -60 Year- 2015 Thana -PHULWARIA District- GOPALGANJ

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1. Dina Nath Manjhi Son of Late Munilal Manjhi  
2. Lakhia Devi Wife of Dina Nath Manjhi  
3. Rishi Kumar Manjhi Son of Dina Nath Manjhi All are Resident of  
village - Hajiapur, Ward No. 28, P.S. + District - Gopalganj

.... .... Petitioner/s

Versus

1. The State of Bihar

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

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**Appearance :**

For the Petitioner/s : Mr. Dhramveer

For the Opposite Party/s : Mr. Bharat Bhushan (App)

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      22-07-2015      Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case instituted under Sections 420, 406, 467, 468, 323, 120(B)/34 of the Indian Penal Code.

The prosecution story, in brief, is that the accused persons came to the house of the informant and told the father of the informant that his daughter is qualified and unemployed and if he arrange money, her job can be arranged. On 29.6.2014 all the accused persons came to the house of the informant then her father gave Rs. 5.50 lacs to petitioner no.1, thereafter Lakhia Devi kept the amount in her bag and petitioner no.1 gave a receipt of the money on plain paper and assured that within a month work will

be done and also took her certificate. After one month, the informant on phone enquired then petitioner no.1 told that work will be done immediately. After two months, the informant and her father went to the house of petitioner no.1, where Lakhia Devi was present and on seeing the informant, Lakhia Devi became angry and abused with filthy words and threatened to assault her. It is further alleged the petitioner has taken money from various persons in the name of giving job.

It has been submitted on behalf of the petitioners that the petitioners have falsely been implicated in the present case as vide Annexure 2 to the present application, a case was instituted upon the informant of the present case.

It has been submitted on behalf of the State that the petitioners have criminal antecedent.

Considering the aforesaid facts, I am not inclined to grant anticipatory bail to petitioner nos.1 and 3 ( Dina Nath Manjhi and Rishi Kumar Manjhi) and the same is rejected.

If petitioner nos. 1 and 3 surrender in the court below within a period of six weeks and pray for regular bail, same shall be considered by the court below on its own merit without being prejudiced by this order of rejection, preferably same may be disposed of on the same day.

So far petitioner no.2, Lakhia Devi, is concerned, considering that she is lady ad has no criminal antecedent, in the event of her arrest or surrender in the court below within a period of four weeks, she shall 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 Sri Abhishek Kunal, learned Judicial Magistrate, 1<sup>st</sup> Class, Gopalganj in connection with Phulwaria P.S.Case No. 60/2015, subject to the conditions as laid down u/s 438(2) Cr.P.C.

(Sudhir Singh, J)

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