

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27051 of 2015

Arising Out of PS.Case No. -61 Year- 2014 Thana -MAGADH UNIVERSITY District- GAYA

- =====
1. Umesh Manjhi Son of Bandhu Manjhi
 2. Kamla Devi Wife of Umesh Manjhi Both resident of Village - Arjun Bigha, P.S. - Magadh University, District - Gaya.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha

For the Opposite Party/s : Mr. S.D.Singh Yadav(APP)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 20-07-2015 Heard both sides.

The petitioners apprehend their arrest in a case under
Section 302 and other sections of the Indian Penal Code.

The informant named the petitioners along with other
accused persons and alleged that they all assaulted his father with
fists and slaps.

It is submitted that similarly situated co-accused,
namely, Ravindra Manjhi, Fulchand Manjhi and Basudeo Yadav
had already been granted anticipatory bail vide order passed in
Cr.Misc.No. 49126 of 2014 and Cr.Misc.No. 49725 of 2014.

From a perusal of the records it appears that the
informant named the petitioners along with other accused persons
and made omnibus and general allegation of assault but when



father of the informant fell down, Umesh Manjhi, petitioner No.1, along with Bhola Manjhi and Surendra Manjhi are alleged to have assaulted the deceased as a result of which he died. Therefore, the case of Umesh Manjhi, petitioner No.1, is quite different and there is specific allegation against Umesh Manjhi. Hence, I am not inclined to grant anticipatory bail to Umesh Manjhi. His prayer for bail is rejected. So far as the case of Kamla Devi, petitioner No.2, is concerned, her case stands on similar footing as that of Ravindra Manjhi and Basudeo Yadav, who have already been granted bail.

Considering the aforesaid facts, the petitioner No.2 Kamla Devi, in the event of her arrest or surrender in the court below within a period of four weeks from the date of receipt/production of this order, shall be released on bail in connection with Magadh University P.S.Case No. 61 of 2014 on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Gaya, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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