

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 44452 of 2015

Arising out of P.S. Case No. -104 Year- 2015 Thana -
EKANGARSARAI District- NALANDA (BIHARSHARIFF)

- =====
1. Srikant Manjhi Son of Bhushan Manjhi..
 2. Rinku Devi Wife of Srikant Manjhi Both Residents of Mohalla-
Brahm Asthan,P.S. Hilsa, District Nalanda.
- Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shyamal Prakash, Adv.

For the Opposite Party/s: Mr. Ashok Kumar (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL ORDER

02. 13.10.2015

Heard learned counsel for the Petitioners and the State.

The Petitioners are apprehending their arrest in a case registered under Sections 341, 323, 308 and 504/34 of the Indian Penal Code.

Considering that the Petitioner No. 2 is a lady without going into the veracity of the allegations, let her be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of four weeks from the date of receipt of the order on furnishing bail bond of Rs. 5,000/- (Five Thousand) with two sureties of the like amount each or any other surety as fixed by the Court to the satisfaction of Additional Chief Judicial Magistrate, Hilsa, Nalanda in connection with Ekangarsarai P.S. Case No. 104 of 2015 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as also subject to the following conditions:- (i) That one of the bailors will be a close relative of the Petitioner who will give an affidavit giving genealogy as to how he is related with the Petitioner. The bailor will

also undertake to inform the Court if there is any change in the address of the Petitioner. (ii) That the affidavit shall clearly state that the Petitioner is not an accused in any other case and if she is she shall not be released on bail. (iii) That the bailor shall also state on affidavit that he will inform the court concerned if the Petitioner is implicated in any other case of similar nature after her release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse. (iv) That the Petitioner will give an undertaking that she will receive the police papers on the given date and be present on date fixed for charge and if she fails to do so on two given dates and delays the trial in any manner, her bail will be liable to be cancelled for reasons of misuse. (v) That the Petitioner will be well represented on each date and if she fails to do so on two consecutive dates, her bail will be liable to be cancelled.

As for the Petitioner No. 1, Srikant Manjhi, considering the nature of allegations, I am not inclined to extend the privilege of anticipatory bail to him. The prayer for anticipatory bail of Petitioner No. 1 is rejected.

(Anjana Prakash, J.)

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