

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.49032 of 2015**

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

1. Bhola Manjhi  
2. Vikash Manjhi @ Vikash Kumar Both are sons of Bilas Manjhi  
3. Surendra Manjhi  
4. Jogendra Manjhi @ Yogendra Manjhi Both are sons of Jatan Manjhi  
All are residents of Village-Arjun Bihga, P.S.-Magadh University, District-Gaya.

.... .... Petitioner/s

Versus

1. The State of Bihar

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

**Appearance :**

For the Petitioner/s : Mr. Deepak Kumar

For the Opposite Party/s : Mr. Arvind Kumar Pandey (App)

**CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL**  
**ORAL ORDER**

2      02-11-2015      Heard Mr. Mishra for the petitioner and Mr. Dayal, APP for the State.

Four petitioners herein seek anticipatory bail in Magadh University P.S. Case No. 61 of 2014 registered under Sections 147, 149, 341, 323, 325, 302, 504 of the Indian Penal Code, Section 3(2)(v) of the SC/ST Act and Section 4 of Prevention of Witch Practices Act.

It is alleged that accused persons conjointly assaulted the father of the informant causing his death. Specific allegation of assault is attributed to co-accused Bhola Manjhi , Umesh Manjhi and Surendra Manjhi. Against others, there is general allegation of being member of mob, some of whom have

since been released on bail. He draws attention of the Court to the order dated 20.7.2015 passed in Cr. Misc. No. 27051 of 2015 (Annexure-3).

It appears that persons having specific allegation namely Umesh Manjhi has been denied privilege of bail whereas others have been enlarged on anticipatory bail.

Considering the fact that there is specific allegation of assault against petitioner nos. 1 and 3, their prayer for bail is rejected.

In so far as petitioner nos. 2 and 4 namely Vikash Manjhi @ Vikash Kumar and Jogendra Manjhi @ Yogendra Manjhi are concerned, in the event of arrest or surrender in the Court below within four weeks, they are directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in Magadh University P.S. Case No. 61 of 2014 subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioners.

(ii) In case of framing of charge, the petitioners shall appear

in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioners and secure their arrest in accordance with law.

**(Kishore Kumar Mandal, J)**

Pankaj/-

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