

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50089 of 2015

Arising Out of PS.Case No. -317 Year- 2015 Thana -BANKA District- BANKA

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1. GULO MANJHI Son of Late Shaligram Manjhi. null
 2. GEDAN MANJHI Son of Gullo Manjhi. null
 3. SHIV MANJHI @ SHIBU MANJHI S/o Saryug Manjhi. null
 4. SHAMBHU MANJHI @ SHAMBHU Son of Gullo Manjhi, Residents of village & P.o. Lakhpura, P.S. Panjwara, District, Banka.

.... Petitioner/s

Versus

THE STATE OF BIHAR

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

3 07-12-2015 Learned counsel for the petitioners seeks permission to withdraw the application of petitioner no.3, Shiv Manjhi @ Shibu Manjh, since during the pendency of this case he has been arrested.

Such permission is accorded.

Accordingly, the application of petitioner no.3 is dismissed as withdrawn.

Heard learned counsel for the petitioners no. 1, 2 and 4 and learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Banka (Panjwara) P.S. Case No. 317 of 2015 corresponding to G.R. Case NO. 1081 of 2015 registered under Sections 147, 148, 149, 307, 353, 504 and 506 of the Indian Penal Code.



The prosecution case is that the Police went to arrest petitioner no.2, Gedan Manjhi, son of petitioner no.1 Gulo Manjhi in connection with Banka (Panjwara) P.S. Case No. 269 of 2014, at his house on 24.5.15. He was present at his house and caught hold. but petitioner no.1 Gulo Manjhi and petitioner no. 4 Shambhu Manjhi @ Shambhu along with others named in the F.I.R. started to abuse and scuffled and got freed to petitioner no.2 Gedan Manjhi.

Learned counsel appearing on behalf of the petitioners submits that in fact, petitioner Gedan Manjhi and his father Gulo Manjhi were directed to be released on bail by the Court below vide A.B.P. No.320 of 2015 and B.P. No. 183 of 2015 respectively on 15.05.2015. It is also submitted that taking the same facts, co-accused Binda Devi and Ramabatiya Devi have already been allowed on anticipatory bail by a Bench of this Court vide Cr . Misc. No. 38466 of 2015 on 28.09.2015.

Having considered the facts and circumstances of the case, let the above named petitioners, except petitioner no. 3, Shiv Manjhi @ Shibu Manjhi, be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the

satisfaction of the C.J.M., Banka in connection with Banka
(Panjwara) P.S. Case NO. 317 of 2015, subject to the condition as
laid down under Section 438(2) of the Cr. P.C.

(Rajendra Kumar Mishra, J)

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