

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4682 of 2016

Arising Out of PS.Case No. -202 Year- 2015 Thana -SIRDALA District- NAWADA

- =====
1. Kapil Manjhi s/o Banshi Manjhi
 2. Shankar Manjhi S/o Late Jethu Manjhi Both Resident of village-
Golabnagar, P.S.- Sirdalla, District- Nawada

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma

For the Opposite Party/s : Mr. Tapeswar Sharma(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 30-03-2016 Heard the learned counsel for the petitioners and
the learned A.P.P. representing the State.

The petitioners seek bail in connection with
Sirdalla P.S. Case No. 202 of 2015 registered for the offences
punishable under Sections 376, 511, 341, 325, 307 and 504/34
of the Indian Penal Code.

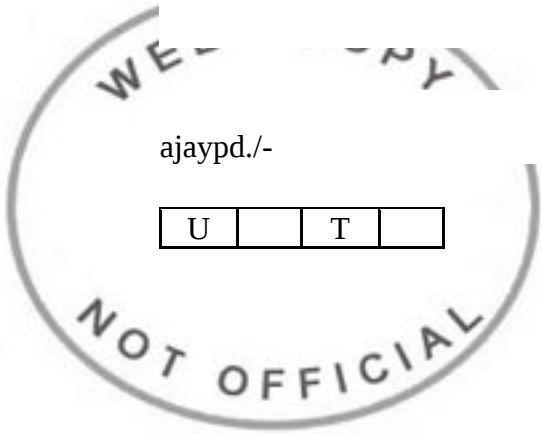
Allegedly, the petitioners after dragging the
informant beneath the bridge tried to commit rape with her but
due to alarm being raised Dwarika Prasad came for rescue then
co-accused Upendra Manjhi and Dashrath Manjhi also came
and assaulted Dwarika Prasad causing injury on his head.



Submission is of false implication and that due to enmity going on since Bihar Assembly Election the informant managed the police station and implicated the petitioners in false case, the date of occurrence is 13.10.2015 and the case was instituted on 14.10.2015 without any explanation, the petitioners are suffering in custody since 03.11.2015, no offence under Section 376/511 is made out, the injury found on the person of Dwarika Prasad is simple in nature caused by hard and blunt substance, and as such, the petitioners deserve sympathetic consideration, to which the learned APP opposes.

In the facts and circumstances stated above, considering the detention of the petitioners, now, they are directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, V, Nawada in connection with Sirdalla P.S. Case No. 202 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the

petitioners from privilege of bail.



ajaypd./-

(Jitendra Mohan Sharma, J)