

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34906 of 2016

Arising Out of PS.Case No. -332 Year- 2015 Thana -BODHGAYA District- GAYA

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1. Urmila Devi wife of Manoj Manjhi
 2. Manoj Manjhi Son of Mohan Manjhi
 3. Goga Manjhi @ Ganga Manjhi son of Mohan Manjhi
 4. Sagar Manjhi Son of Late Laungi Manjhi, All Petitioner No. 1 to 4 are Resident of village- Dahariya Bigha, Police Station- Both Gaya, District- Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

4 09-11-2016 Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor for the State.

Petitioners No.2 to 4 apprehend their arrest in connection with Bodhgaya P.S. case No.332 of 2015 registered under Sections 147, 148, 149, 323 and 302 of the I.P.C. and Sections 3/4 of the Dian Act.

Petitioners are named in the First Information Report on the allegation that they caught the informant's husband and tied him with a tree and after that the informant's husband was mercilessly assaulted. The alleged occurrence took place because the accused including the petitioners suspected that the deceased

was an extortionist.

Learned counsel appearing for the petitioners submits that no specific overt act has been attributed against the petitioners and the entire case diary goes to show that it was Urmila Devi, who took active part in the alleged crime.

I am not at all convinced with the aforesaid submission and in my view petitioners do not deserve privilege of anticipatory bail in such a serious occurrence. Accordingly, this anticipatory bail petition filed on behalf of petitioners Manoj Manjhi, Goga Manjhi @ Ganga Manjhi and Sagar Manjhi in connection with Bodhgaya P.S. case No.332 of 2015 pending in the court of the Chief Judicial Magistrate, Gaya stands rejected. However, this order shall not cause any prejudice to the mind of competent court while considering the regular bail application of the petitioners.

(Hemant Kumar Srivastava, J)

Narendra/-

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