

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.44037 of 2016

Arising Out of PS.Case No. -19 Year- 2015 Thana -MAGADH UNIVERSITY District- GAYA

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Ghanshyam Manjhi, Son of Late Govind Manjhi, Resident of village- Turi Khurd,
P.S.- Magadh University, District- Gaya

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Sinha, Advocate.

For the Opposite Party/s : Mr. Suresh Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 17-10-2016

Heard learned counsel for the parties.

The petitioner apprehends arrest in connection with Magadh
University P.S.Case No. 19 of 2015 dated 28.03.2015 registered under
Sections 406/420/120B/34 of the Indian Penal Code.

The allegation against the petitioner is that he along with Niraj
Giri and Shankar Manjhi had entered into an agreement for sale of land
along with one Ramdeo Manjhi, who had taken Rs. 6 lacs from the
informant for transfer of land in his favour and later on, it is said that the
same was not made and the informant was threatened of assault.

Learned counsel for the petitioner submits that the petitioner
has no criminal antecedent and has been falsely implicated in the present
case as even the allegation of taking money is against co-accused Ramdeo
Manjhi and further, the dispute is purely civil in nature and the institution
of the FIR is an abuse of process of the court. It is submitted that similarly

situated co-accused Niraj Giri has been granted anticipatory bail by a co-ordinate Bench of this Court by order dated 27.09.2016 in Cr. Misc. No. 41051 of 2016.

Learned A.P.P. is not in a position to controvert the aforementioned submissions.

Considering the facts and circumstances of the case and submissions of learned counsels for the parties, in the event of arrest or surrender before the court below within six weeks from today, the petitioner, named above, be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya in connection with Magadh University P.S.Case No. 19 of 2015, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 and further that:

- (a) The petitioner shall cooperate in the trial and be present before the Court on each and every date. Failure to co-operate or appear on two consecutive dates, without any sufficient cause, shall lead to cancellation of his bail bonds.

(Ahsanuddin Amanullah, J)

Sujit/-

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