

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48160 of 2015

Arising Out of PS.Case No. -302 Year- 2015 Thana -BARACHATTI District- GAYA

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1. CHANDAR MANJHI Son of Late Sukar Manjhi Resident of village-
Baljori Bigha, P.S.- Bodh Gaya, District- Gaya
 2. Kailash Manjhi, son of Late Nanhak Manjhi, Residents of village- Jai
Prakash Nagar, P.S. Bodh Gaya, District- Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rana Pratap Singh

For the Opposite Party/s : Mr. Satyendra Narayan Singh(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 22-02-2016

Heard the learned counsel for the petitioners as well

as the learned A.P.P for the State.

The petitioners seek bail in a case for the offences
punishable under sections 302, 201 and 120 (B)/34 of the I.P.C

Allegedly, on the allegation that Dahu Manjhi was
practicing witchcraft, the petitioners and other 16 accused persons
dragged Dahu Manjhi from the house and took away towards the
field and killed him by slitting his neck. Further, they buried the
dead body in the ditch.

Submission is of false implication and that there is no
specific allegation against the petitioners, there is general and
omnibus allegation, it is not mentioned as to whether the
petitioners were armed with any weapon or not, who slit the neck
has not been mentioned, there is no eye witness of the occurrence,

only on suspicion they have been implicated. In this case similarly situated co-accused, namely, Mithilesh Manjhi, Darogi Manjhi, Kailash Manjhi, Tanak Manjhi and Mukesh Manjhi have been allowed pre-arrest bail vide Cr. Misc. No. 48142 of 2015 by order dated 12.02.2016.

The learned A.P.P. opposes prayer for bail by submitting that father of the informant was murdered brutally.

In the facts and circumstances as stated above, considering that charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence and as such the petitioners are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Sri Narendra Pal Singh, J.M. 1st Class, Gaya in Barachatti (Mohanpur) P.S. Case No. 302 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.

(Jitendra Mohan Sharma, J)

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