

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 55150 of 2017

Arising Out of PS.Case No. -403 Year- 2017 Thana -BARACHATTI District- GAYA

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1. Upendra Prasad S/o Sri Kailash Prasad
2. Mutuk Manjhi S/o Late Sacho Manjhi Both R/o Village - Chauari, P.S. -
Mohanpur, District - Gaya.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Dhirendra Kumar Sinha, Advocate

For the Opposite Party/s : Mr Surendra Prasad Singh, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

3 12-12-2017

Heard counsel for the petitioners and the State.

The petitioners are accused in Barachatti (Mohanpur)

Police Station Case No 403 of 2017 registered for the offences
punishable under Sections 394/34 of Indian Penal Code.

Counsel for the petitioners submits that the
petitioners have been falsely implicated in this case as neither they
have been named in the first information report nor anything has
been recovered from their possession so as to incriminate them in
the instant case. It is further submitted that in so far as the
petitioner No 1 is concerned, he has got no criminal antecedent
and only one case is pending against petitioner No 2 and that also
in relation to some alleged assault. It is also submitted that the



petitioners are in custody since 09.08.2017 and that investigation in the case is complete.

Considering the aforesaid submission, prayer for bail is allowed. Let the petitioners above named be released on bail on each of them furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Sherghati, District - Gaya in Barachatti (Mohanpur) Police Station Case No 403 of 2017 subject to the following conditions :

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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