

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38739 of 2017

Arising Out of PS.Case No. -40 Year- 2017 Thana -MAGADH UNIVERSITY District- GAYA

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Deosharan Manjhi, Son of Gola Manjhi, R/o Village- Pathalgadh, 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. Sudhir Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

- 2 24-08-2017 Heard learned counsel for the petitioner and the State.
- The petitioner apprehends his arrest in Magadh University P.S. Case No. 40 of 2017 instituted for the offence under Sections 363 and 365/34 of the Indian Penal Code.
- It has been submitted that there is specific allegation in the written report of kidnapping the minor daughter of the informant against co-accused Ram Swarup Manjhi. Mere suspicion has been raised against this petitioner that he also helped Ram Swarup Manjhi in kidnapping the victim girl as he was present in the house of the petitioner at that time.
- It is mentioned in paragraph-3 of the bail petition that petitioner has no criminal antecedent.
- Considering the facts and circumstances of the case,



prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Magadh University P.S. Case No. 40 of 2017, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IX, Gaya, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

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(Sanjay Priya, J)

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