

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45257 of 2017

Arising Out of PS.Case No. -5 Year- 2017 Thana -MOHAMMADPUR District- GOPALGANJ

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Ramnath Manjhi Son of Late Pahari Manjhi Resident of Village-Mangalpur,
P.S.-Mohammadpur, District-Gopalganj Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner : Mr. Indrajeet Bhushan, Advocate

For the Opposite Party : Mr. Braj Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 19-09-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in a case registered for the
offence under sections 341, 323, 324, 504, 316 and 34 of the
IPC.

Counsel for the petitioner submits that the FIR has
been lodged at the instance of the agnates of the petitioner. He
submits that the dispute was with respect to demarcation of some
land and there is no specific allegation against the petitioner in
the FIR and other co-accused persons have already been granted
anticipatory bail by this Court vide order dated 19.8.2017, passed
in Cr.Misc.No. 34259 of 2017. Prior to the instant case, no case
is pending against him and he is in custody since 6.8.2017.

In view of the aforesaid submissions, let the petitioner
as mentioned above be released on bail on furnishing bail bond
of Rs.10,000/- each with two sureties of the like amount each to
the satisfaction of the Additional Chief Judicial Magistrate-I,
Gopalganj in Mohammadpur Police Station Case No. 05 of 2017,
on the following conditions:-

(a) 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 him. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(b) The affidavit shall clearly state that the petitioner is not an accused in any other case, and if he is, he shall not be released on bail.

(c) The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter, the court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse.

(d) The petitioner will give an undertaking that he will receive the police papers on the given date and be present on date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse.

(e) 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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