

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 55497 of 2017

Arising Out of PS.Case No. -26 Year- 2015 Thana -MAGADH MEDICAL COLLEGE District-
GAYA

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Manai Manjhi @ Munai Manjhi son of Etwar Manjhi Resident of Village
Dhansir, Bhui Tola, P.S. - Magadh Medical, District - Gaya.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Ms Kiran Sinha & Ms Manisha Prakash,
Advocates

For the Opposite Party/s : Mr Narsingh Tanti, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

3 12-12-2017

Heard counsel for the petitioner and the State.

The petitioner is accused in Magadh Medical Police
Station Case No 26 of 2015 dated 04.03.2015 registered for the
offence punishable under Sections 324, 307 of Indian Penal Code
and Section 27 of Arms Act.

Allegation is that while the petitioner was engaged in
a quarrel with Jora Manjhi, the informant, who was witnessing the
occurrence, was fired upon by the petitioner. Counsel for the
petitioner has drawn attention of the Court towards the injury
report (Annexure 2) from where it is quite apparent that the injury
was simple caused by suspected firearm. Despite that, though the
occurrence is of 23rd of February, 2015, the first information report
has been lodged on 04.03.2015. It is further submitted that the



petitioner has been falsely implicated in this case because the parties are in litigating terms and on the basis of such allegation, the petitioner is in custody since 04.09.2017. It is also submitted that the petitioner is said to be of clean antecedent and investigation is also complete in the instant case.

Having regard to the submissions made on behalf of the petitioner, prayer for bail is allowed. Let the petitioner above named be released on bail on his 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 IV, Gaya in Magadh Medical Police Station Case No 26 of 2015 subject to the following conditions:

(1) 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.

(2) 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)

M.E.H./-

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