IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32807 of 2017

Arising Out of PS.Case No. -84 Year- 2017 Thana -ANDER District- SIWAN

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1. Gulel Manjhi, son of late Suba Manjhi
2. Chhuni Manjhi, son of late Kundan Manjhi
3. Makai Manjhi, son of late Rabindra Manjhi

All are residents of village: Pareji, P.S. Andar, District : Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Ajay Kumar Pandey, Advocate
For the Opposite Party/s : Smt. Meena Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 18-07-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Andar P.S. Case No. 84 of 2017 instituted for the offence under Sections 341, 323, 379, 308 and 504/34 of the Indian Penal Code.

There is specific allegation against petitioner No. 1 of assaulting the informant with iron rod on his head.

The Sessions Judge has mentioned in the impugned order that the opinion with regard to the injury on the head of the informant was kept reserved. The injury was caused by hard and blunt substance.

In such circumstances, keeping in view the specific

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allegation against the petitioner No. 1 namely, Gulel Manjhi, this Court is not inclined to grant anticipatory bail to him.

Prayer for anticipatory bail of petitioner No. 1 stands rejected.

So far as petitioner Nos. 2 and 3 namely, Chhuni manjhi and Makai Manjhi are concerned, there is general and omnibus allegation against them, prayer for anticipatory bail of the petitioner Nos. 2 and 3 is allowed. In the event of surrender/arrest of the petitioner Nos. 2 and 3, named above, within six weeks from today, in connection with Andar P.S. Case No. 84 of 2017, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IX, Siwan, 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) petitioners 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 petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case,

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in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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