

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.56883 of 2017

Arising Out of PS.Case No. -316 Year- 2017 Thana -BIHTA District- PATNA

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1. Bhuttu Manjhi, son of Sudarshan Manjhi,
2. Mukesh Manjhi, Son of Late Shiv Person of Manjhi, Both resident of
Village- Kanchanpur, P.S.- Bihta, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Dipak, Advocate

For the Opposite Party/s : Sri Ramchandra Sahani, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 01-12-2017 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor of the State.

The petitioners are apprehending their arrest in connection with Bihta P.S.Case No. 316 of 2017 registered for offences punishable under Sections 414 and 420 of the Indian Penal Code.

From the written report it appears that two persons namely, Manish Kumar and Kundan Kumar were apprehended by the police with motorcycle but they did not produce any valid document regarding seized motorcycle. It is further alleged that the name of the petitioners surfaced on the basis of confessional statement of co-accused, Kundan Kumar who disclosed the name of the petitioners due to old enmity.

Learned counsel for the petitioners submits that there is no recovery of any material from the conscious possession of the



petitioners and the petitioners have no criminal antecedent.

Learned Additional Public Prosecutor opposes the prayer of bail.

In the facts and circumstances of the case, the prayer of Anticipatory bail of petitioners are allowed and in the event of their arrest or surrender before the Court below within a period of six weeks, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each in connection with Bihta P.S.Case No. 316 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Patna, subject to the conditions laid down under Section 438 (2) Cr. P. C. with other 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 petitioner and (3) if petitioners tamper 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 petitioners.

(Sanjay Priya, J)

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