

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30680 of 2018

Arising Out of P.S.Case No. -116 Year- 2017 Thana -GURUA District- GAYA

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Mahendra Manjhi S/o Paran Manjhi, R/o Vill.- Kutiyapar, P.S.- Gurua,
District- Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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with

Criminal Miscellaneous No.33415 of 2018

Arising Out of P.S.Case No. -116 Year- 2017 Thana -GURUA District- GAYA

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Ramchandra Mandal @ Ramchandra Manjhi S/o Jethu Mandal, R/o
Sherpur Bagicha, P.S.- Gurua, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.30680 of 2018)

For the Petitioner/s : Mr. Vinod Kumar

For the Opposite Party/s : Mr. Amrendra Prasad

(In Cr.Misc. No.33415 of 2018)

For the Petitioner/s : Mr. Shailendra Kumar Jha

For the Opposite Party/s : Mr. Mukeshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR

ORAL ORDER

4 05-07-2018 Heard learned counsel for the petitioners as well as
learned APP for the State.

These two criminal miscellaneous cases arise out of
Gurua P.S.Case No.116 of 2017 registered for an offence under
Sections 302 and 201/34 of the IPC and so both have been heard
together and are being disposed of by a common order.



The allegation as per FIR is that the informant's brother had gone to market but did not return. Later on the dead body of both the deceased were recovered from the side of the river concealed beneath the earth. The informant suspects that the accused persons named in the FIR had killed his brother due to enmity.

It has been submitted that there is no eye witnesses to the occurrence. The informant has lodged this case merely on suspicion as the FIR named accused persons had allegedly harvested his crop and except suspicion there is nothing against these petitioners. The similarly situated co-accused has already been granted bail by a coordinate Bench of this Court in Cr.Misc.No.5004 of 2018. The other co-accuseds have also been granted bail by another Benches of this Court in Cr.Misc.Nos.9298 of 2018 and 23420 of 2018. Petitioners are in custody since 28.03.2018 and 31.12.2017 respectively having clean antecedent.

The learned APP opposed the submissions.

Considering the facts and circumstances of the case, prayer for bail is allowed. Let the above named two petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of CJM, Gaya in connection with Gurua P.S.Case



No.116 of 2017 with following conditions:-

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Sanjay Kumar, J)

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