

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2072 of 2018

Arising Out of PS. Case No. -119 Year- 2017 Thana -CHANDAUTI District- GAYA

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1. Surendra Manjhi Son of Late Tannu Manjhi
2. Mitthu Manjhi Son of Surendra Manjhi
3. Mukesh Manjhi Son of Surendra Manjhi
All residents of Village English, P.S. Chandauti, District Gaya
..... Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mrs. Lilawati Singh,
Mrs. Manisha Prakash, Advocates

For the Opposite Party: Mr. Umeshnand Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 12-01-2018 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are in custody since 17.08.2017 in connection with Chandauti P.S. Case No. 119 of 2017 for the offences alleged under Sections 341, 323, 307, 452/34 of the Indian Penal Code and subsequently Section 302 of the IPC was added and also Sections 25(1-B)A, 26 and 35 of the Arms Act.

3. It is submitted that the petitioners have been falsely implicated merely because they happened to be the father and brothers of co-accused Rakesh @ Gore Kumar who is said to be the main assailant having fired upon the deceased. No overt act or assault is attributed to the petitioners who were merely present at the place of occurrence. The petitioners claim clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioners above named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya, in connection



with Chandauti P.S. Case No. 119 of 2017, on the following conditions:-

(i) That one of the bailors of each of the petitioners shall be their close relatives.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioners shall cooperate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

B.T/Chandran

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