

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46135 of 2018

Arising Out of PS.Case No. -155 Year- 2018 Thana -GAYA MUFFSIL District- GAYA

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1. BISHESHWAR MANJHI @ BISHESHAR MANJHI, S/o Bithal Manjhi,
2. Patarki Manjhi @ Ramashish Manjhi S/o Late Bachan Manjhi,
3. Indal Manjhi @ Mukesh Manjhi S/o Late Bachan Manjhi,
4. Pyare Manjhi @ Ram Payare Manjhi S/o Late Gargar Manjhi,
5. Ramjit Manjhi S/o Nanhku Manjhi, All R/o Vill.- Gopal Nagar Goga ,

P.S.- Moffasil, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nand Kishore Prasad Sinha, Adv.

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 10-09-2018 Heard learned counsel for petitioners and learned A.P.P.
for the State.

The petitioners apprehend their arrest in Muffasil P.S.
Case No. 155/2018, registered for the offences punishable under
Sections 302 and 34 of the Indian Penal Code and sections 3 and 4
of the Prevention of Witchcraft Act.

Allegation against the petitioners is that they have
committed murder of mother of the informant. It has been alleged
that on 09.05.2018, in the night, eight accused named in the F.I.R.,
held a meeting to kill the mother of the informant, as she is
indulged in witchcraft practices. It is submitted that on 10.05.2018



when the informant and his father were outside the house, his brother informed that accused persons committed murder of their mother. It is further submitted that petitioners are innocent and they are Gotiyas of the informant and due to enmity and dispute they have been made accused in the case. They have got no criminal antecedent and named in the F.I.R. only on the basis of suspicion.

Considering the facts aforesaid, the petitioners above-named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged 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 Chief Judicial Magistrate, Gaya in connection with Muffasil P.S. Case No. 155/2018, subject to the conditions:

- (1.) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2.) Petitioners shall co-operate in the trial and shall be present on each and every date fixed by the court and their absence on two consecutive dates without proper and



reasonable reason will be sufficient to cancel their bail bonds.

(3.) If the 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.

(S. Kumar, J)

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