

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38566 of 2018

Arising Out of PS. Case No.-340 Year-2017 Thana- GARKHA District- Saran

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1. Meth Manjhi @ Mithu Manjhi S/o Late Babaji Manjhi
 2. Pramod Manjhi S/o Late Thakur Manjhi Both residents of Village - Jagaria, P.S. Paroo, District Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate
For the Opposite Party/s : Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 09-07-2018 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

Petitioners seek bail in connection with Garkha P.S. Case No. 340 of 2017, G.R. No. 5838 of 2017 registered for the offence punishable under Sections 25(1-b)a and 35 of the Arms Act.

The prosecution case, as lodged by the informant, is that a dacoity was committed in the house of one Ajay Kumar Singh and the dacoits while fleeing away had left a country made pistol on the road. Accordingly, a seizure-list was prepared.

It has been submitted by the learned counsel



for the petitioners that they are innocent, not named in the First Information Report and only on the basis of their confessional statement in Garkha P.S. Case No. 339 of 2017 that they have been made accused. He submits that the dacoity is alleged to have been committed but the country made pistol was not found in their possession, hence, they have been falsely implicated. He submits that they have been remanded in the present case on 16.02.2018 and that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioner.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioners, named above, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Rs. Ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran at Chapra in connection with Garkha P.S. Case No. 340 of 2017, G.R. No. 5838 of 2017, subject to the condition that one of the bailors would be close relative of the petitioners having sufficient immovable properties,



who will file an affidavit stating his relationship with the
petitioners.

(Nilu Agrawal, J.)

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