

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62741 of 2018

Arising Out of PS. Case No.-381 Year-2018 Thana- SHERGHATI District- Gaya

1. Ganauri Manjhi @ Ganauri Bhuiyan Son of Vishu Manjhi @ Bishu Manjhi.
2. Suresh Manjhi, Son of Pachu Manjhi @ Pachu Bhuiyan.
3. Bhola Manjhi @ Bhola Bhuiyan, Son of Pachu Manjhi @ Panchu Bhuiyan.
4. Gora Manjhi @ Gora Bhuiyan, Son of Pachu Manjhi @ Panchu Bhuiyan.
5. Jogi Manjhi @ Yogendra Bhuiyan, Son of Prasad Bhuiyan @ Ram Prasad Manjhi @! Prasad Manjhi.
6. Rajendra Manjhi @ Rajendra Bhuiyan, Son of Prasad Bhuiyan @ Ram Prasad Manjhi @! Prasad Manjhi.
7. Pando Manjhi, Son of Prasad Bhuiyan @ Ram Prasad Manjhi @ Prasad Manjhi.
8. Raju Manjhi, Son of Parasad Bhuiyan @ Ram Prasad Manjhi @ Prasad Manjhi
9. Bishu Manjhi @ Vishu Manjhi, Son of Late Ramu Manjhi @ Ram Bhuiyan.
10. Panchu Manjhi @ Panchu Bhuiyan, Son of Late Ramu Manjhi @ Ram Bhuiyan.
11. Sodhu Manjhi @ Ram Prasad Manjhi @ Sochu Manjhi, Son of Late Ramu Manjhi @ Ram Bhuiyan. All Resident of Village- Pachratan (Beldih), P.S.-Dobhi, District-Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh
For the Opposite Party/s : Mr. Sri Ajay Kumar -2

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 13-12-2018

Heard learned counsel for the parties.

Petitioners are apprehending their arrest in connection with Sherghati (Dobhi) PS Case No. 381 of 2018 for the offence under Sections 147, 148, 149, 341, 323, 307 and 506 of the Indian Penal Code read with Section 27 of the Arms Act.



Learned counsel for the petitioners would submit that there is omnibus allegation of overt act against the petitioners except petitioner nos. 1 and 5. Accordingly, he submits that he is not pressing the present application for anticipatory bail on behalf of petitioner nos. 1 and 5.

In view of the above, the application praying for anticipatory bail in favour of petitioner nos. 1 and 5 is dismissed. However, dismissal of the application will not cause prejudice against petitioner nos. 1 and 5. In the event they surrender before the concerned court below and pray for regular bail, the court below will consider and dispose of the same on the same day without being influenced by dismissal of this application against petitioner nos. 1 and 5.

Considering the case of the remaining petitioners, namely, petitioner nos. 2 to 4, and 6 to 11 as to the omnibus nature of allegation against them and also the fact that there is case and counter-case the Court is inclined to grant them anticipatory bail.

Accordingly, in the event of arrest or surrender before the court below within a period of one month from today, petitioners nos. 2 to 4 and 6 to 11 above named, are directed to 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 the Addl. Chief Judicial Magistrate, Sherghati at Gaya in connection with Sherghati (Dobhi) PS Case No. 381 of 2018 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Upadhyay, J)

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