

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.12559 of 2019**

Arising Out of PS. Case No.-261 Year-2018 Thana- DHANARUA District- Patna

1. RAJU MANJHI, aged about 26 years, Male, Son of Late Ujagar Manjhi @ Bujharat Manjhi
2. Amasiya Manjhi @ Harendra Manjhi, aged about 38 years, Male, Son of late Chandar Manjhi @ Ramchandra Manjhi, both Residents of Village - Dariyapur, P.S.- Dhanrua, Distt.- Patna

... Petitioners

Versus

The State of Bihar

... Opposite Party

**Appearance :**

For the Petitioners : Mr. Ramanath Kumar, Adv.

For the Opposite Party : Mr. Ganesh Prasad Singh, APP

**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

2      01-03-2019                      Heard the learned counsel for the petitioners and the learned counsel appearing for the State.

The petitioners are languishing in judicial custody since 18.09.2018 in connection with Dhanrua P.S. Case No. 261 of 2018 for the offence alleged under Section 302/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that his son Girdhari Kewat was taken from the house by co-accused, Mohan Choudhary, to the Court and while returning, the same co-accused, Mohan Choudhary, along with four others named in the first information report, has made the informant's son to eat something, after that his dead body was found near the field in Dariyapur village.

It has been submitted by the learned counsel for the



petitioners that they are innocent, bear no criminal history and they have been implicated only on suspicion. There is no eye witness to the alleged occurrence and charge sheet has already been submitted, there being no allegation of tampering with the prosecution evidence. He, further, submits that one of the co-accused, who had taken the informant's son, along with the petitioner, from the house and has been alleged of killing the informant's son has already been granted the privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 71727 of 2018, dated 19.02.2019.

However, the learned Additional Public Prosecutor for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioners, above named be released on bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each in connection with Dhanrua P.S. Case No. 261 of 2018 to the satisfaction of the learned Subdivisional Judicial Magistrate, Masaurhi, Patna, subject to the following conditions :

(i) One of the bailors of each of the petitioners would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his/their



relationship(s) with the petitioner(s).

(ii) Petitioners will appear before the learned Court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his/their bail bond(s).

(iii) If the petitioners indulge in an offence of similar nature in future, the prosecution will be at liberty to move the learned Court below for cancellation of his/their bail bond(s).

**(Nilu Agrawal, J)**

Shamshad/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

