

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21058 of 2019

Arising Out of PS. Case No.-9 Year-2019 Thana- SHERGHATI District- Gaya

1. GEYANI MANJHI @ GEYANI MANDAL Son of Late Punit Manjhi Resident of Village - Dhab Rampur, Tola, Thewai, P.S.- Sherghati, District - Gaya.
2. Karu Manjhi Son of Shyamlal Manjhi Resident of Village - Dhab Rampur, Tola, Thewai, P.S.- Sherghati, District - Gaya.
3. Jitendra Manjhi @ Jitendra Manjhi Son of Shyam Lal Manjhi Resident of Village - Dhab Rampur, Tola, Thewai, P.S.- Sherghati, District - Gaya.
4. Lakhan Manjhi Son of Shyam Lal Manjhi Resident of Village - Dhab Rampur, Tola, Thewai, P.S.- Sherghati, District - Gaya.
5. Panchu Manjhi Son of Shyam Lal Manjhi Resident of Village - Dhab Rampur, Tola, Thewai, P.S.- Sherghati, District - Gaya.
6. Jitan Manjhi Son of Shyamlal Manjhi Resident of Village - Dhab Rampur, Tola, Thewai, P.S.- Sherghati, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.S. Jamil Akhtar
For the Opposite Party/s : Mr.Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-04-2019 Since initially it is submitted that petitioner nos.2, Karu Manjhi and petitioner no.5, Panchu Manjhi have been arrested, hence, this application so far as it relates to petitioner nos.2 and 5 stands dismissed as having infructuous.

Heard learned Counsel for the petitioners and learned APP for the State.

Petitioner nos. 1, 3, 4 and 6 are apprehending arrest in a case registered for the offences punishable under Section 306 of



the Indian Penal Code.

The prosecution case got initiated on the basis of written report of Deepak Manjhi submitted before the Station House Officer, Sherghati Police Station is to the effect that on 06.01.2019 at 6.00 A.M., the father of the informant went to ease out in the field, but he fell down. On receiving such information, younger brother of the informant Suresh Manjhi, wife Lalita Devi, mother Taregani Devi went there and brought the father of the informant, but started vomiting. Subsequently, it was suspected that all the petitioners who are named in the FIR took the father of the informant for witch craft and in that course there was some dispute between them, hence, the father of the informant was poisoned by the accused persons or he himself consumed the poison.

It is submitted by learned counsel for the petitioners that for the occurrence of 06.01.2019 at 6.00 A.M., the FIR was registered on 07.01.2019 at 10.00 A.M. and the petitioners have been named in the FIR only on the basis of suspicion. It is further submitted that the postmortem report reflects one ante mortem injury on the head, but the prosecution failed to explain the injury.

It is submitted by learned APP for the State that the



petitioners are named in the FIR.

Considering the suspicious nature of accusation, delayed lodging of the case coupled with statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let petitioner nos. 1, 3, 4 and 6 above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM, Sherghati, Gaya, in connection with Sherghati P.S. Case No.9/2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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