

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78197 of 2018

Arising Out of PS. Case No.-40 Year-2011 Thana- KHAIRA District- Jamui

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1. Jitan Manjhi, Son of Jhagru Manjhi,
 2. Pakauri Manjhi, Son of Charitar Manjhi @ Chalitar Manjhi, Both are resident of Village Pipratn, Barmasiya, P.S. Khaira, District- Jamui.
- Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Sinha, Adv.
For the Opposite Party/s : Mr.Sri Anil Prasad Singh (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 17-01-2019 Heard learned counsel for petitioners and learned counsel for the State.

Petitioners, who are in custody, seek bail in connection with Khaira P.S. Case No. 40 of 2011 registered for the offences punishable under Section 147, 148, 149, 302, 307, 379, 120-B of the Indian Penal Code.

Informant has alleged that when he had gone to the house of his in-laws his brother-in-law Mohan Manjhi started abusing him and when objected he assaulted by lathi on his head and other co-accused including petitioner also started assaulting him as a result of which he was injured thereafter his father was informed and he came with Rs. 5,000/- and he was also assaulted by them and snatched Rs. 5,000/- from his possession. His father was taken to hospital where he died during treatment.



It has been submitted on behalf of the petitioners that they are innocent and have committed no offence. They have been falsely implicated in this case on the basis of suspicion and village rivalry. There is no specific allegation against them of assaulting the deceased or informant. Allegations are general and omnibus in nature. They have no criminal antecedent and are in custody since 24.10.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Jamui, in connection with Khaira P.S. Case No. 40 of 2011, subject to 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 properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, their bail bond shall be cancelled by the court below.
- (3) If the petitioners tampers 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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