

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28994 of 2019**

Arising Out of PS. Case No.-583 Year-2018 Thana- BODHGAYA District-
Gaya

- =====
1. LALAN MANJHI, aged about 28 years, male, S/O Dizel Manjhi, Resident of Village Suryapura P.S. Bodhgaya District- Gaya.
 2. Gayatri Manjhi, aged about 26 years, female, W/O Lalan Manjhi, Resident of Village Suryapura P.S. Bodhgaya District- Gaya.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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with

CRIMINAL MISCELLANEOUS No. 37264 of 2019

Arising Out of PS. Case No.-583 Year-2018 Thana- BODHGAYA District-
Gaya

- =====
1. PUNAM DEVI, aged about 25 years, D/o Kameshwar Manjhi Resident of Village - Surajpura, P.S.- Bodhgaya, Dist.- Gaya.
 2. Munurva Devi @ Malkha Devi, W/o Kameshwar Manjhi Resident of Village - Surajpura, P.S.- Bodhgaya, Dist.- Gaya.
 3. Muniya Devi, aged about 45 years, W/o Ashok Manjhi Resident of Village - Surajpura, P.S.- Bodhgaya, Dist.- Gaya.
 4. Chandan Kumar Son of Ashok Manjhi Resident of Village - Surajpura, P.S.- Bodhgaya, Dist.- Gaya.
 5. Tetari Devi W/o Sanjay Manjhi Resident of Village - Surajpura, P.S.- Bodhgaya, Dist.- Gaya.
 6. Nathun Manjhi Son of Late Langda Manjhi Resident of Village - Surajpura, P.S.- Bodhgaya, Dist.- Gaya.
 7. Dhaneshari Devi W/o Nathun Manjhi Resident of Village - Surajpura, P.S.- Bodhgaya, Dist.- Gaya.
 8. Sajan Manjhi @ Sajan Kumar Son of Kameshwar Manjhi Resident of Village - Surajpura, P.S.- Bodhgaya, Dist.- Gaya.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :



(In CRIMINAL MISCELLANEOUS No. 28994 of 2019)

For the Petitioner : Mr.Praveen Kumar

For the Opposite Party: Mr.Bhanu Pratap Singh

(In CRIMINAL MISCELLANEOUS No. 37264 of 2019)

For the Petitioner : Mr.Indrajesh Kumar

For the Opposite Party: Mr.Renuka Ratnakar

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 23-07-2019 As prayed, learned counsel for the petitioner in Cr. Misc. No. 37264 of 2019 is permitted to make correction in the name of father of petitioner no. 8 in the cause title as 'Kameshwar Manjhi' in place of Nathun Manjhi', in course of the day.

2. Heard learned counsel for the petitioners and learned APP for the State.

3. The petitioners apprehend their arrest for the offences alleged under Sections 341, 323, 326, 307/34 of the Indian Penal Code registered in connection with Bodh Gaya P.S. Case No. 583 of 2018.

4. It is submitted that the petitioners have been falsely implicated in the backdrop of land dispute and there is case and counter case between the parties and the F.I.R. has been instituted as many as 15 accused persons. The accusations are general and omnibus in nature without any assault attributed individually. The petitioners' side have also received injuries. The petitioners claim clean antecedents.

5. Learned APP submits on the basis of paragraphs 14 and 16 of the case diary showing that two persons of the informants' side have received grievous injury on non-vital part of the body. However he has not pointed out any objective material against any particular accused to whom such grievous injury has been attributed.

6. Be that as it may, in the event of the petitioners' arrest or surrender before the court below within six weeks from



the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Bodh Gaya P.S. Case No. 583 of 2018 subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions -

(i) That one of the bailors of each of the petitioners shall be their close relatives other than the petitioners herein.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall cooperate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner no. 2 in Cr. Misc. No. 28994 of 2019 and petitioner nos. 1, 2, 3, 5, and 7 in Cr. Misc. No. 37264 of 2019 shall be well represented in Court on each and every date during trial except as and when directed by the learned Court to be physically present and petitioner no. 1 in Cr. Misc. No. 28994 of 2019 and petitioner nos. 4, 6 and 8 in Cr. Misc. No. 37264 of 2019 shall remain physically present in Court on each and every date, and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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