

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20747 of 2019

Arising Out of PS. Case No.-570 Year-2018 Thana- BODHGAYA District- Gaya

1. Mohan Manjhi, aged about 37 years, Male, Son of Pairu Manjhi, Resident of Village-Agani, P.S-Cherki (Bodh Gaya), District-Gaya.
2. Sukan Manjhi, aged about 24 years, Male, Son of Mahabir Manjhi, Resident of Village-Agani, P.S-Cherki (Bodh Gaya), District-Gaya.
3. Mojindra Manjhi, aged about 25 years, Male, Son of Rambriksh Manjhi, Resident of Village-Agani, P.S-Cherki (Bodh Gaya), District-Gaya.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

with

CRIMINAL MISCELLANEOUS No. 32858 of 2019

Arising Out of PS. Case No.-570 Year-2018 Thana- BODHGAYA District- Gaya

DAHAL MANJHI @ DHAO MANJHI, aged about 32 years (Male), S/o Mahavir Manjhi, R/o Village- Agani, P.S.- Bodh Gaya (Cherki), District-Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

(In CRIMINAL MISCELLANEOUS No. 20747 of 2019)

For the Petitioners : Mr.Ajay Kumar Sinha, Advocate.

For the Opposite Party : Mr.Rajiv Nayan, A.P.P.

(In CRIMINAL MISCELLANEOUS No. 32858 of 2019)

For the Petitioner : Mr.Ajay Kumar Sinha, Advocate.

For the Opposite Party : Mrs. Nirmala Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

4 13-08-2019 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are languishing in custody since
01.10.2018 in a case for the offence registered under Sections



447, 448, 323, 302 and 201/34 of the IPC.

The prosecution story, in brief, is that on 28.09.2018 at about 10 O' Clock at night when the informant was sleeping in her house, Villagers Mohan Manjhi, Dahal Manjhi, Sukan Manjhi, Majendra Manjhi (all are petitioners) entered her house and by breaking the door, assaulted her father-in-law Sahagu Manjhi and her husband Ramjatan Manjhi. They took her father-in-law with them who is traceless till date. It has further been alleged that all the above named four persons had killed her father-in-law and hidden his dead body.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. It is a case of last seen. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in the present case. There is no eye witness to the alleged occurrence.

On behalf of the learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let



the petitioners above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge-IIIrd, Gaya, in connection with Sessions Trial No. 10/19/16/19, arising out of Bodh Gaya (Cherki) P.S. Case No. 570 of 2018.

(Sudhir Singh, J)

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