

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65812 of 2018

Arising Out of PS. Case No.-160 Year-2018 Thana- MIRGANJ District- Gopalganj

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1. Lakhichand Manjhi Son of Late Ramdaur Manjhi
 2. Sanichari Devi, wife of Jangali Manjhi
 3. Kajal Kumari D/o Jangali Manjhi
- All Resident of Village - Harkhauli, Police Station Mirganj, District Gopalganj

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Umesh Kumar Singh, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 15-02-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 341, 323, 307, 504 and 34 of the Indian Penal Code registered in connection with Mirganj P.S. Case No. 160 of 2018. Subsequently, Section 302 of the IPC has been added.

3. It is submitted that the petitioners have been falsely implicated and in any event, there is no whisper of any allegation of assault against petitioner no. 1. Petitioner nos. 2 and 3 are ladies and the accusation of assault against them is general and omnibus in nature. No external injury on the person of the deceased has been found in the post mortem report. Other co-accused, namely, Jangali Manjhi and Shambhu Manjhi had been granted bail by this Court vide order dated 01.11.2018 passed in Cr. Misc. No. 59934 of 2018. The petitioners claim clean antecedents.

4. 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 bonds of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, XVI, Gopalganj in connection with Mirganj P.S. Case No. 160 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and with further conditions --

(i) That one of the bailors of each of the petitioners shall be a close relative of the petitioner.

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

(iii) That the petitioner nos. 2 and 3 will be well represented and petitioner no. 1 shall remain physically present in court on each and every date during trial 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.

(iv) 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.

BT/Chandran

(Vikash Jain, J)

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