

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28602 of 2020

Arising Out of PS. Case No.-76 Year-2020 Thana- TEKARI District- Gaya

1. MOHAN MANJHI S/o Shri Manjhi Resident of Village-Gangasagar, Police Station-Tekari, District-Gaya.
2. Jeramaniya Devi W/o Mohan Manjhi Resident of Village-Gangasagar, Police Station-Tekari, District-Gaya.
3. Rani Devi @ Rakhi Devi D/o Mohan Manjhi Resident of Village-Gangasagar, Police Station-Tekari, District-Gaya.
4. Baby Kumari D/o Mohan Manjhi Resident of Village-Gangasagar, Police Station-Tekari, District-Gaya.

... .. Petitioner

Versus

The State of Bihar Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Rabindra Kumar Priyadarshi, Advocate
For the Opposite Party/s : Mr. Jai Narayan Thakur, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

6 17-03-2021 A show-cause has been filed on behalf of S.I. Dinanath Das. He is present in person.

Mr. Jai Narayan Thakur, learned A.P.P. for the State represents him in course of argument.

In his show-cause, the S.I. has taken a plea that a departmental proceeding has been initiated against him and the fact as to whether the lady chowkidar was present in course of raid or not would be clear during the departmental proceeding. Prayer has been made to accept the show-cause.

Having considered the submissions of Mr. Thakur, learned A.P.P. for the State, this Court accepts the show-cause,



however the departmental proceeding initiated against him shall be taken to its logical end.

This Court has already refused the prayer for anticipatory bail of petitioner no. 1. So far as petitioner nos. 2, 3 and 4 are concerned, they are the female members of the family. It is their submission that during night hours without there being any female constable/chowkidar in the raiding party, the police personnel led by the S.I. entered in the house of these petitioners. It is his further submission that the allegation against them are palpably false and concocted, they have otherwise no criminal antecedent.

In the given facts and circumstances of the case considering that the petitioner nos. 2, 3 and 4 are female members of the family and they have otherwise no criminal antecedent, let the petitioner nos. 2, 3 and 4 above-named in the event of their arrest or surrender within a period of four weeks from today in connection with Tekari P.S. Case No. 76 of 2020 be released on bail on furnishing bail bonds of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Gaya, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself



available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

