

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30089 of 2020

Arising Out of PS. Case No.-131 Year-2019 Thana- GOVINDPUR District- Nawada

1. RAJO @ RAJO MANJHI @ RAJESH MANJHI S/O Late Mauji Manjhi Resident of Village - Kolgarh, P.S. - Govindpur, District - Nawada.
2. Puna @ Puna Manjhi @ Phulan Manjhi S/O Jageshwar Manjhi Resident of Village - Kolgarh, P.S. - Govindpur, District - Nawada.
3. Tila @ Tila Manjhi @ Triloki Manjhi S/O Munni Manjhi Resident of Village - Kolgarh, P.S. - Govindpur, District - Nawada.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr.Krishna Deo Raj, Adv.
For the State	:	Ms. Meena Singh APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 05-01-2021 Heard learned counsel for the petitioners and learned APP
for the State.

Learned counsel for the petitioners is expected to honor his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon.

Petitioners apprehend their arrest in connection with Govindpur P. S. Case no. 131 of 2019, instituted for the offence under Section(s) 147,148,149, 302 of the Indian Penal Code and Section ¾ of the Dayan Act.

It is the allegation in the FIR that son of co-accused



Suresh Manjhi died due to illness 3 months back. However, he was holding the informant's mother (victim) responsible for the death of his son due to witchcraft by the informant's mother. The petitioners along with two other co-accused, namely, Suresh Manjhi and Naro @ Naresh Manjhi have entered the house of the informant killed his mother.

It is submitted by the petitioners' counsel that very weak and stale motive has been assigned, that also against co-accused Suresh Manjhi. Specific allegation of inflicting knife blow is against co-accused, namely, Suresh Manjhi and Naro @ Naresh Manjhi. The petitioners being somehow related to Suresh Manjhi have falsely been implicated by alleging that they were accompanying the co-accused persons.

The learned APP for the State has opposed the prayer for anticipatory bail by submitting that all the accused persons, including the petitioners with common intention have entered into the house of the informant as per prosecution case where the informant's mother has been done to death. The circumstances are such that the petitioners are not entitled to grant of anticipatory bail.

Considering the rival submission and the submission that the petitioners bear no criminal antecedents, prayer of the



petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, before the court below, within four (04) weeks from today, they shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Additional District Judge – VIII, Nawada in connection with Govindpur P.S. Case no. 131 of 2019, subject to the conditions as laid down under Section 438(2) Cr. P.C. subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the Court if there is any change in the address of the petitioners.

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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