

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 30836 of 2021

Arising Out of PS. Case No.-42 Year-2020 Thana- BUNIYAD GANJ District- Gaya

1. Suraj Manjhi, aged about 25 years, Male Son of Late Gorkha Manjhi.
2. Yogendra Manjhi @ Jugendra Manjhi, aged about 28 years, Male, Son of Govardhan Manjhi.

Both resident of Village- Hari Bagicha Suraj Pokhar Road, P.S.- Buniyadganj, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Saxena, Advocate

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 31-01-2022 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State through video conferencing.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioners seek bail in connection with Buniyadganj P.S. Case No. 42 of 2020 registered for the offences punishable under Sections 147, 148, 149, 448, 341, 323, 504, 326 and 302 of the Indian Penal Code.

The allegation as alleged by the informant is that his



son-in-law came to his sasural on the eve of Holi, when there was a quarrel between him and Suraj Manjhi and Ram Babu Manjhi during D.J. Programme on account of which, the named accused persons forcibly took away son-in-law and started assaulting him and thereafter took him away. It is further alleged that thereafter the informant started searching his son-in-law and his body was found lying in a field.

Learned counsel for the petitioners submit that petitioners have clean antecedent. They have been falsely implicated in this case. He further submits that in the FIR there is general and omnibus allegation against all the accused persons and no specific allegation is attributed against these petitioners. He further submits that the police after investigation submitted chargesheet against the petitioners. He further submits that the co-accused namely, Pappu Manjhi and Sukhandi Manjhi @ Sukhani Manjhi have been granted bail by a co-ordinate Bench of this Court by order dated 23.12.2021 in Cr. Misc. No. 29999 of 2021 and petitioners are in custody since 06.01.2021.

Learned Additional Public Prosecutor for the State on the basis of the materials on record and the case diary fairly submits that there is general and omnibus allegation against the



petitioners.

Considering the aforesaid facts and circumstances as well as period of custody, let the petitioners, above named, be released on 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 learned ACJM VIII, Gaya in connection with Buniyadganj P.S. Case No. 42 of 2020, subject to the following conditions:-

1. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

2. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. 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.

(Rajesh Kumar Verma, J)

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