

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47549 of 2023

Arising Out of PS. Case No.-37 Year-2023 Thana- MAGADH MEDICAL COLLEGE
District- Gaya

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1. Mannat Manjhi S/O Late Budhan Manjhi
 2. Gariban Manjhi @ Gariban @ Lodhi Manjhi S/O Mannat Manjhi
 3. Arjun Manjhi @ Ledha S/O Mannat Manjhi
 4. Munna Manjhi @ Munna Devi S/O Mannat Manjhi
 5. Gulabiya Devi W/O Mannat Manjhi
 6. Kanti Devi W/O Gariban Manjhi @ Gariban @ Lodhi Manjhi
 7. Gouri Devi W/O Munna Manjhi
 8. Saudagar Manjhi S/O Sabhi Manjhi
- All R/O Village- Karma Tikar, P.S. Magadh Medical Dist. Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kr. Sinha, Advocate
For the Opposite Party/s : Mr.Zainul Abedin,APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 03-08-2023 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

2. The petitioners seek bail in connection with
Magadh Medical P.S.Case No.37 of 2023, F.I.R. dated
27.01.2023 registered for the offence punishable under Section
147, 148, 149, 504, 341, 323, 325, 307 and 302 of the Indian
Penal Code.

3. Allegation against the petitioners is that they have
formed unlawful assembly and in prosecution of the common



object of the same they have committed murder the elder brother of the informant.

4. Learned counsel appearing for the petitioners submits that the petitioners have clean antecedent and they have falsely been implicated in the present case. Further submits that the allegation as alleged in the FIR is false and fabricated and the petitioners have not committed any offence as alleged in the FIR. Further submits that from bare perusal of the FIR it appears that there is no specific allegation of any assault or overt-act attributed against these petitioners rather there is general and omnibus allegation against all the accused persons including the petitioners and the police, after investigation, submitted chargesheet against the petitioners and the petitioner Nos. 1,3 and 5 to 8 are in custody since 28.01.2023 and the petitioner No.4 is in custody since 09.02.2023 respectively.

5. Learned APP for the State has opposed the prayer for bail of the petitioners.

6. Considering the aforesaid fact, 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 learned J.M.-1st Class, Gaya in connection with Magadh Medical P.S.Case No.37 of 2023,



with the following conditions:-

(I) 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.

(II) 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.

(III) 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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