

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5435 of 2024

Arising Out of PS. Case No.-279 Year-2023 Thana- KHIJARSARAI District- Gaya

1. Pramod Manjhi S/O Late Lakeshwar Manjhi R/O Village- Horma, P.S- Khizersarai, Distt.- Gaya.
2. Shanker Manjhi S/O Late Lakeshwar Manjhi R/O Village- Horma, P.S- Khizersarai, Distt.- Gaya.
3. Sampadi Devi W/O Pramod Manjhi R/O Village- Horma, P.S- Khizersarai, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Sharma, Advocate

For the Opposite Party/s : Ms.Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

4 16-04-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners seek regular bail in connection with Khizersarai P.S. Case No. 279/2023 (Session Trial No. 1217/2023) lodged on 17.07.2023 under Section 302, 201/34 of the Indian Penal Code.

3. As per the prosecution case, the FIR has been lodged against the eight accused persons including the petitioners with an allegation that all the accused persons in connivance with each other have killed the father of the informant.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. In fact, the present FIR has been lodged after 17 days of the alleged date



of occurrence and the name of all the persons have been inserted in the FIR only on the basis of suspicion. The petitioner Nos.1 and 3 are in custody since 06.08.2023 while petitioner no.2 is in custody since 11.08.2023 having no criminal antecedent. Learned counsel for the petitioner further submits that the dead body has been recovered but it could not be identified whether this dead body is of a male or a female.

5. Learned counsel for the State opposes the prayer for bail and submits that it is true that the present case is of circumstantial evidence but the petitioners are the only person against whom allegation has been made.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioners above named be released on bail, **but only after framing of charge, if not framed**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-XV, Gaya, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure.

(Dr. Anshuman, J)

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