

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13756 of 2015

Arising Out of PS.Case No. -322 Year- 2014 Thana -SHERGHATI District- GAYA

1. Teni Manjhi.
2. Gola Manjhi.
3. Karu Manjhi.
4. Reva Manjhi.
All S/o Manger Manjhi.
5. Khiru Manjhi, S/o Teni Manjhi.
6. Raja Manjhi, S/o Gola Manjhi.
7. Sona Devi, W/o Teni Manjhi.
All R/o Village Anuradhi, P.S. Dobhi, Distt. Gaya.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioners : Mr.
For the State : Mr.
For the Informant : Mr.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 20-05-2015 Learned counsel appearing on behalf of the petitioners submits that the petitioner nos.1 and 4 have already been arrested by the police and, as such, this application as against them has become infructuous.

In that view of the matter, learned counsel for the petitioners seeks permission to withdraw this application as against petitioner nos.1 and 4.

Permission is accorded.

This application with respect to petitioner nos.1 and 4 is

dismissed as withdrawn.

Now, this application is surviving only against the petitioner nos.2, 3, 5, 6 and 7 only.

Heard learned counsel for the petitioner nos.2, 3, 5, 6 and 7 and the learned A.P.P. for the State as also the learned counsel for the informant.

The petitioner nos.2, 3, 5, 6 and 7 apprehends their arrest in connection with Sherighati (Dobhi) P.S. Case No.322 of 2014 registered under Sections 147, 341, 323, 307, 504 and 506 of the Indian Penal Code.

The accusation is that seven persons including the petitioners reached at the field of the informant using abusive language and made protest in plantation of paddy crops by the informant and his family members. When the informant forbade them to do so, they started assaulting them. In that course, the petitioner, Teni Manjhi, assaulted Bhim Kumar, the nephew of the informant, with an intent to kill him causing cut injury on his head and blood started oozing out from his head. Thereafter, the co-accused, Nandu Lal, also reached there and started assaulting and abusing them, and the petitioner, Sona Devi, assaulted Vinod Yadav, the brother of the informant, with lathi causing injury on his head. In that course, the co-accused, Nandu Lal, snatched

Rs.2500/- from the pocket of the informant.

Learned counsel appearing on behalf of the petitioner nos.2, 3, 5, 6 and 7 submits that, in fact, the land in dispute was purchased by the petitioner, Sona Devi, which the prosecution party tried to capture and due to that reason, there were hot exchange of words between both the parties and the occurrence took place regarding which the petitioner, Sona Devi, has also lodged Sherghati (Dobhi) P.S. Case No.323 of 2014 under Sections 341, 323, 325, 307, 504, 506 and 379/34 of the Indian Penal Code besides Sections 3(i)/3(i)(xi) of the S.C. and S.T. Act on 20.11.2014 against the informant of the present case and others.

Having considered the facts and the circumstances of the case, let the petitioner nos.2, 3, 5, 6 and 7, above named, in the event of their arrest or surrender by them within four weeks, be enlarged on bail on their furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the S.D.J.M. Sherghati, District-Gaya, in connection with Sherghati (Dobhi) P.S. Case No.322 of 2014, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

P.S./-

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