

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53375 of 2015

Arising Out of PS.Case No. -134 Year- 2015 Thana -KUCHAIKOTE District- GOPALGANJ

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1. Chandeshwar Manjhi son of Late Gajadhar Manjhi
 2. Santosh Manjhi son of Sonu Manjhi
 3. Ishwar Manjhi son of Sonu Manjhi
 4. Dudhnath Manjhi son of Sonu Manjhi
 5. Rohit Manjhi son of Chandeshwar Manjhi
 6. Malti Devi wife of Chandeshwar Manjhi
 7. Mintu Devi wife of Santosh Manjhi All resident of village- Jalalpur, P.S.- Kuchaikote, District- Gopalganj

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Singh

For the Opposite Party/s : Mr. J.N.Thakur(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 24-11-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307 and 504/34 of the Indian Penal Code.

In the background of land dispute, it is alleged that the co-accused Sonu Manjhi caused injury with iron rod on the head of the informant and when her son Nilesh Manjhi and thereafter Amit Manjhi came to rescue they were also assaulted by the petitioners. It is specifically alleged that petitioner no.1 Chandeshwar Manjhi assaulted with farsa on the head of Amit Manjhi.

It is submitted by learned counsel for the petitioners that in the background of land dispute, the accusation has been levelled when the injury has been found to be simple. There is counter version of the occurrence also. For the occurrence of 16.07.2015, the FIR was lodged on 18.07.2015.

Considering the specific accusation against petitioner no.1, Chandeshwer Manjhi and non-petitioner Sonu Manjhi, let the learned court below consider the prayer for regular bail of petitioner no.1, if he surrenders within a period of six weeks.

So far as petitioner nos. 2 to 7 are concerned, considering the delayed lodging of the FIR and counter version of the occurrence, let the above named petitioner nos. 2 to 7 be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Gopalganj in connection with Kuchaikote P.S. Case No. 134 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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