

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4427 of 2016

Arising Out of PS.Case No. -351 Year- 2015 Thana -WAJIRGANJ District- GAYA

- =====
1. Sonu Kumar Son of Bigan Manjhi,
 2. Bigan Manjhi, Son of Late Pati Manjhi, Both are resident of village - Bhagaunsa, Police Station - Wazirganj, District - Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. R.B.Roy Raman(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-02-2016

Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 504, 302, 34 of the Indian Penal Code.

The prosecution case is that the F.I.R named accused persons including the petitioners came and started abusing the informant's side. It is alleged that petitioner No. 2 Bigan Manjhi started abusing the mother of the informant and on protest being made, he asked his son Basant Manjhi to make assault when Basant Manjhi assaulted the mother of the informant by means of Belt causing injury on her head. Subsequently the mother of the informant succumbed to the injuries.

It is submitted by learned counsel for the petitioners that there is no specific accusation levelled against petitioner No. 1 Sonu Kumar. So far as petitioner No. 2 Bigan

Manjhi is concerned, it is simply alleged that he abused and ordered his son to make assault. There is nothing on record to suggest that any injury was received by the mother of the informant. The impugned order also does not reflect any discussion of injury being caused to the mother of the informant. Moreover, for the occurrence of 08.08.2015 the F.I.R was registered on 20.08.2015.

A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

Considering the thrust of accusation against co-accused Basant Manjhi and delayed lodging of the F.I.R, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory 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 Judicial Magistrate, 1st Class, Gaya in connection with Wazirganj P.S. Case No. 351 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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