

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9738 of 2016

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

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Basant Manjhi @ Basant Kumar Manjhi son of Bigan Manjhi, resident of
Village- Bhagaunsa, Police Station- Wazirganj and District- Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 19-04-2016 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Wazirganj P.S. Case No.351 of 2015 registered under Sections 341,
323, 504 and 302/34 of the Indian Penal Code.

The prosecution case is that on 08.08.2015, five persons,
named in the F.I.R., including the petitioner reached at the house of the
informant and started to abuse and cause assault. In that course, when
the mother of the informant tried to pacify the dispute, she was
assaulted by this petitioner by belt causing injury on her head.
Thereafter, the mother of the informant was rushed to the hospital,
where she died on 19.08.2015.

Learned counsel appearing on behalf of the petitioner submits

that there was dispute in between the informant and the petitioner regarding the drainage of the water of the house and due to that reason, the petitioner has falsely been implicated in this case with false allegation of causing injury at the head of the mother of the informant by belt on 08.08.2015, who, later on, died on 19.08.2015 at the hospital. Further submission is that the alleged occurrence is said to have taken place on 08.08.2015 but the F.I.R. was lodged on 20.08.2015 without furnishing any explanation regarding the said delay. It is further submitted that the co-accused, Sonu Kumar and Bigan Manjhi, have already been granted bail by a coordinate Bench of this Court vide order dated 01.02.2016 passed in Criminal Misc. No.4427 of 2016.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri Jigar Shah, Judicial Magistrate, First Class, Gaya, in connection with Wazirganj P.S. Case No.351 of 2015, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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