

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47837 of 2017

Arising Out of PS.Case No. -166 Year- 2016 Thana -GOPALPUR District- PATNA

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Sanjay Manjhi, Son of Sahdeo Manjhi, Resident of Village- Bhelbara
Mushahari, Police Station- Gopalpur, District- Patna.

.... Petitioner/s

Versus

1The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Jha

For the Opposite Party/s : Mr. Sri Yogendra Kumar

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

02/ 17-10-2017

Heard learned counsel for the petitioner and

the learned APP for the State.

The petitioner is apprehending his arrest in
a case registered for the offences punishable under Sections 341,
323, 325, 353/34 and 307 of the Indian Penal Code.

The prosecution case is that the informant
being a Police Constable, proceeded on wireless message
regarding information of trafficking of liquor and reached
Bhelwara-Mushahari village whereupon the accused persons
including the petitioner indulged in hot exchange of words with
the informant. It is further alleged that on instigation of the
accused persons including the petitioner, co-accused Jugeshwar
Manjhi assaulted on the head and the left arm of the informant.



It is submitted by learned counsel for the petitioner that the accusation of assault has not been levelled against the petitioner and a statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent. Hence, no offence under Section 353 or 307 IPC is made out against the petitioner.

Learned APP submits that the accusation of assault is not against the petitioner.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Patna in connection with Gopalpur P.S. Case No. 166 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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