

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72913 of 2018

Arising Out of PS. Case No.-202 Year-2018 Thana- BAUNSI District- Banka

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1. Goutam Kumar Manjhi @ Goutam Manjhi Son of Late Ramdesh Manjhi @ Late Ramdev Manjhi
 2. Banti Kumar Manjhi @ Banti Manjhi S/o Late Gopal Manjhi Both Resident of Village-Jhapaniya, Police Station- Bounsi, Distt.- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee

For the Opposite Party/s : Mr.Sri Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 20-12-2018 Heard both sides.

The petitioners apprehend their arrest in Bounsi P.S. case No. 202 of 2018 registered under Section 307 and other Sections of the Indian Penal Code.

The informant alleged that some altercation took place among the co-sharers for passage but in the meantime Goutam Manjhi and Banti Manjhi, the petitioners, and his brother Kush Kumar Manjhi came there. Both the petitioners assaulted Kush Kumar Manjhi with lathi on his head. Other accused persons also assaulted the brother of informant and other family members.

The learned counsel for the petitioners submits that there is counter version being Bounsi P.S. case No. 203 of 2018. The petitioners and informant are co-sharers. Due to dispute with regard to passage some altercation took place between two sides and both sides engaged in mutual assault. Kush Kumar Manjhi got two injuries, one on head and another on nose but



both the petitioners are alleged to have assaulted Kush Manjhi on his head. There is no whisper that who caused injury on nose. The injury on nose is opined to be grievous in nature.

Considering the facts aforesaid and the nature of allegation made against the petitioners and the fact that there is case and counter case on account of dispute with regard to passage in which both sides entered into mutual assault, the petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/ production of a copy of this order are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka in connection with Bounsi P.S. Case No. 202 of 2018, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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