

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62334 of 2018

Arising Out of PS. Case No.-24 Year-2017 Thana- MAHILA PS District- Gopalganj

1. Raghunandan Manjhi, Son of Mahanth Manjhi
2. Nandji Manjhi, Son of Late Kongress Manjhi
Both Resident of Village – Dorapur, P.S. - Uchakagaon, District –
Gopalganj. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satyendra Rai
For the Opposite Party/s : Mr. Sri Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 12-12-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 376/511/34 of the Indian Penal Code and Sections 7/8 of the Protection of Children from Sexual Offences Act, 2012.

The prosecution case, as per the written report of Guriya Kumari dated 13.05.2017, submitted to the Station House Officer of Gopalganj Mahila P.S. is to the effect that on 12.05.2017 all the accused persons including the petitioners started blocking the passage in front of the house of the informant which connects main road. On protest being made, they assaulted the mother of the informant. In the meantime, at 2.00 P.M. the informant, her younger brother Rajkumar and



maternal brother Samir Kumar were in the house when the accused persons again entered into the house assaulted the informant and started disrobing her. On alarm being raised, the villagers came and thereafter, the accused persons escaped from the scene.

It is submitted by learned counsel for the petitioners that in the background of land dispute, the accusation has been levelled against the petitioners. It is further stated that there is no medical report on record and even assuming the accusation to be true no offence under Section 376/511 of the IPC is made out. Moreover, during investigation, the accusation has been found true under the bailable offences as gets reflected from the impugned order. A statement has been made in paragraph 3 of the petition that petitioner no. 1 is not having criminal antecedent, whereas petitioner no. 2 is accused in one other case being Uchakagaon P.S. Case No. 81 of 2015 lodged by the informant in which he is on bail.

Learned APP submits that the petitioners are named in the FIR with specific accusation.

Considering the accusation being made levelled in the background of land dispute, and no medical report being on record let the above named petitioners 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) each with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-1st, Gopalganj in connection with Gopalganj Mahila P.S. Case No. 24 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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