

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65427 of 2018

Arising Out of PS. Case No.-76 Year-2018 Thana- PANJWARA District- Banka

Rajesh Manjhi S/o Sri Pradip Manjhi Resident of Village-Lakhpura, Police Station-Panjawara, 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. Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-12-2018 Heard learned counsels for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 341,323,325,354,504 and 506 of the IPC.

The prosecution case as per the written report of Mahesh Manjhi submitted to the SHO, Panjwas Police Station is to the effect that on 17.7.2018 at about 4 P.M. the informant's wife was returning from the office of Sarpanch, then all the accused persons including the petitioner started abusing her. On protest being made, co-accused Pradeep Manjhi caught hold of the hair lock of the informant's wife and pushed her down on the road and assaulted her and co-accused Rani Devi also assaulted the informant's wife with fists and slaps.

It is submitted by learned counsel for the petitioner that



even assuming the accusation to be true, no offence under Section 354 of the IPC is made out against the petitioner. Moreover the injury report suggests the nature of injury is superficial simple in nature. Statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that there is specific accusation against the petitioner.

Considering the fact that medical report does not corroborate the accusation, coupled with the statement made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM I, Banka, in connection with Panjawara P.S. Case No.76 of 2018 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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