

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18255 of 2018

Arising Out of PS. Case No.-31 Year-2018 Thana- PHULWARIA District- Gopalganj

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1. Bishram Manjhi son of late Banka Manjhi, Resident of Vill. Satai, P.S. Mirganj, Dist. Gopalganj.
 2. Gorakh Manjhi @ Sri Ram Manjhi son of Lutan Manjhi, R/o village Gosai Manjha, P.S. Phulwaria, Dist. Gopalganj

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogendra Prasad Sinha

For the Opposite Party/s : Mr. Smt. Renuka Ratnakar

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 09-05-2018 Heard learned counsel for the petitioners and learned APP
for the State as well as the counsel for the informant.

Petitioners apprehend their arrest in Fulwalria P.S. case
no. 31 of 2018 instituted for the offence under Section(s) 447,
523, 325, 307, 504 and 506/34 of the Indian Penal Code.

It is alleged against petitioner no.2 that he assaulted the
father-in-law of the informant with iron rod on his head on
account of which he fell down after becoming unconscious.

The case diary has been received wherein the injury
report of the injured is available.



Learned APP after perusing the case diary submits that doctor has opined the injury on the person of the injured to be grievous in nature.

In such circumstance, this Court is not inclined to grant anticipatory bail to the petitioner no.2,namely Gorakh Manjhi @ Sri Ram Manjhi. The prayer for anticipatory bail of petitioner no.2 is accordingly rejected.

So far as allegation against petitioner no.1 is concerned, there is general and omnibus allegation against petitioner no.1.

In the facts and circumstances of the case, prayer of the petitioner no.1 for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Fulwalria P.S. case no. 31 of 2018, petitioner no.1 shall be released on anticipatory 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 ACJM-XIII, Gopalganj, subject to the conditions as laid down under Section 438(2) Cr. P.C. with further conditions:(1) bailor should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper



and reasonable reason will automatically cancel bail bond of the petitioners and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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