

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.76177 of 2018

Arising Out of PS. Case No.-65 Year-2018 Thana- SIKTI District- Araria

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1. Uchit Lal Manjhi, S/o- Late Mutahru Manjhi
 2. Beena Devi, W/o Uchit Lal Manjhi, Both resident of Village- Barmansiya, Ward No. 10, P.S.- Sikty, District- Araria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha
For the Opposite Party/s : Mr. Ramchandra Sahani

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 16-01-2019 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 324, 504 and 379/34 of the IPC.

The prosecution case, as per the written report of Rajesh Manjhi, dated 26.04.2018 submitted to the Station House Officer, Sikty Police Station, is to the effect that on 25.04.2018 at 6AM, on the issue of cutting of the bamboo, petitioner no.1, Uchit Lal Manhi abused the informant and on protest being made, it is alleged that co-accused Manoj Manjhi, Munni Devi and petitioner no.2, Veena Devi abused the informant. It is further alleged that petitioner no.1, Uchit Manjhi assaulted the



informant with Kachiya, and when his wife came to rescue him, then she was caught by petitioner no.1, Uchit Manjhi when the co-accused Munni Devi assaulted her with Kachiya causing cut injury on her finger.

It is submitted by learned counsel for the petitioners that in the background of land dispute, the occurrence took place. The case lodged by the petitioners' side, being Sikty P.S. Case No. 64 of 2018, against the informant's side is at earlier point of time. Two injuries of the informant have been found to be simple whereas opinion with regard to one injury has been kept reserved. A statement has been made in paragraph no.3 of the petition that petitioner no.1 is also involved in three other cases, whereas petitioner no.2 is involved in one other case, but in that cases, the petitioners are on bail.

Learned APP submits that the accusation against the petitioners is specific.

Considering the genesis of occurrence and the fact that there is no accusation of repeating the blow against the petitioners, let the above named petitioners be released on anticipatory bail in the event of arrest/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 like amount each to the satisfaction of
learned CJM, Araria in connection with Sikty P.S. Case No. 65
of 2018, subject to the condition as laid down under Section
438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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