

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21694 of 2019

Arising Out of PS. Case No.-12 Year-2019 Thana- MADHAURAH District- Saran

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1. RAJ KISHORE MANJHI Son of Raj Nath Manjhi Resident of Village- Narharpur, P.S.- Marhowrah, District- Saran, Chapra.
 2. Ashok Manjhi Son of Laldev Manjhi Resident of Village- Narharpur, P.S.- Marhowrah, District- Saran, Chapra.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh

For the Opposite Party/s : Mr.Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

3 21-06-2019 Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Marhowrah, (Gaura O.P.) P.S. Case No. 12 of 2019, registered for the offences punishable under Sections 376, 511 of the Indian Penal Code.

Petitioners along with other accused are said to have been hiding in the Munj field and when informant arrived there they dragged her inside the aforesaid field and tried to outrage her modesty but in the meantime she felt giddiness then the aforesaid accused persons fled away leaving the informant.

It is submitted by learned counsel for the petitioners



that no such occurrence as alleged ever took place. Petitioners have no concern with the aforesaid occurrence. They have been falsley implicated in this case due to land dispute and previous enmity. Both parties are patidars. Allegation levelled against the petitioners is not specific rather general and omnibus in nature. As per the FIR the place of occurrence the Munj field but I.O. has not found Munj field at the P.O. rather potato field. F.I.R. has been lodged after inordinate delay of three days without assigning any plausible explanation for said delay. Moreover, informant in her further statement has stated that she had signed on the application without understanding the same at the instance of her villagers. Petitioners have no criminal antecedent.

On the other hand, the learned A.P.P. for the State opposed the prayer for anticipatory bail of the petitioners.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, VIII Saran at Chapra in connection with Marhowrah, (Gaura O.P.) P.S. Case No. 12 of



2019, subject to the condition as laid down under Section 438
(2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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