

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25536 of 2019

Arising Out of PS. Case No.-564 Year-2018 Thana- MOHANIYA District- Kaimur (Bhabua)

Manish Kumar @ Manish Ram Son of Shiv Kumar Ram Resident of Village -
Rasulpur- Karamahari, Ward no.1, P.S.-Mohania, P.S.- Mohania, District-
Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan
For the Opposite Party/s : Mr. Harendra Prasad

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 24-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in connection
with Mohania P.S. Case No. 564 of 2018 registered for the
offence punishable under Sections 341, 323, 307, 34 of the
Indian Penal Code.

Petitioner along with other accused persons is said to
have assaulted on the head of the informant by means of rod on
protest made by him over taking away his utensils and other
house articles and they also assaulted his wife and father when
they came in his rescue.

It is submitted by learned counsel for the petitioner
that no such occurrence as alleged ever took place. He has been



falsely implicated in this case due to land dispute. The allegation levelled against the petitioner is not specific rather general and omnibus. The single injury sustained by the informant is simple in nature. The assailant of the said injury is not ascertained. There is case and counter case between the parties. He has no criminal antecedent. Similarly situated co-accused, namely, Kanti Devi has been enlarged on anticipatory bail by a co-ordinate Bench of this Court vide order dated 06.03.2019 passed in Cr. Misc. No. 13450 of 2019.

In the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Kaimur Bhabua in connection with Mohania P.S. Case No. 564 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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