

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33425 of 2019

Arising Out of PS. Case No.-61 Year-2019 Thana- MANIHARI District- Katihar

1. GUNJWA @ SANJAY RISHI aged about 30 years, Male, Son of Madan Rishi.
2. Birma Devi aged about 26 years, Female, Wife of Gunjwa @ Sanjay Rishi
3. Banarsi Rishi, aged about 34 years, Male, Son of Ganeshi Rishi.
4. Rakhi Devi aged about 27 years, Female, Wife of Banarshi Rishi
All resident of village- Musahari Tola, P.S. Manihari, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. B.D. Singh, Advocate Mr. Md. Musowir, Advocate
For the State	:	Mr. Md. Fahimuddin, A.P.P.
For the Informant	:	Mr. S.P. Sah @ Baranwal, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 08-08-2019 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State as well as learned counsel for the informant.

The petitioners are seeking anticipatory bail in connection with Manihari P.S. Case No. 61/2019 registered under Sections 341/323/307/325/34 of the Indian Penal Code, pending in the court of learned C.J.M., Katihar.

Learned counsel for the petitioners submits that the allegations against the petitioners are general and omnibus, however, learned A.P.P. for the State as also learned counsel for the informant have opposed the prayer for anticipatory bail of



the petitioners. It is submitted that in the F.I.R. there is specific allegation against Banarshi Rish and Rakhi Devi that they had caused injury on the left hand and on the chest of husband of the informant by a sickle. It is submitted that the injuries have been found to be grievous in nature.

Having heard learned counsel for the petitioners and learned counsel for the State in the given facts and circumstances of the case where there are specific allegation against petitioner no. 3 & 4, this court is not inclined to grant them privilege of anticipatory bail.

Prayer for anticipatory bail of petitioner nos. 3 & 4 is refused.

In case, they surrender and pray for regular bail in the court court below within a period of four weeks from today, their prayer shall be considered by the court below on it's own merit without being prejudiced by the order of this court.

So far as petitioner nos. 1 & 2 are concerned, the allegations against them are that they were also in the mob and have assaulted the informant and her husband, however the allegations seem to be general and omnibus.

In that view of the matter, in the event of their arrest/surrender before the court below within a period of four



weeks, let the above-named petitioner nos. 1 & 2 be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Katihar, in connection with Manihari P.S. Case No. 61 of 2019, subject to condition prescribed under Section 438(2) of the Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J)

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