

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42796 of 2019

Arising Out of PS. Case No.-134 Year-2019 Thana- BASANTPUR District- Siwan

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MUKESH KUMAR MANJHI Son of Dudun Manjhi Resident of Village-
Sendurkha, P.S.- Basantpur, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Pandey

For the Opposite Party/s : Mr.Uday Chand Prasad

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 12-07-2019 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Basantpur Police Station Case No. 134 of 2019,
disclosing offences under Sections 341/323/354/354(c)/504 of
the Indian Penal Code.

The allegation against the petitioner is that on the
alleged date of occurrence, while the informant was going to
attend the call of nature, she was pulled by the petitioner in the
bushes and tried to outrage her modesty. Upon raising alarm, the
villagers came and saved the informant from the clutches of the
petitioner.

Learned Counsel for the petitioner submits that the
allegation levelled in the First Information Report is totally



concocted and no offence in the manner alleged has been committed by the petitioner. He further submits that the petitioner was assaulted by the family members of the informant, including the informant, on 22.04.2019, for which father of this petitioner has lodged Basantpur Police Station Case No. 135 of 2019, under Sections 341/323/324/307/379/504/506/34 of the Indian Penal Code and Sections 3 (i) (r) (s)/3 (2) (va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. He submits that in order to save themselves from the case lodged by the father of the petitioner, the present false First Information Report has been lodged and from perusal of the formal First Information Report, it would be evident that the date and time of the occurrence are not mentioned therein. He, accordingly, submits that due to previous dispute, this case has been lodged against the petitioner, who is pursuing his engineering course outside the village and had come in the village due to the vacation.

After having heard learned Counsel for the parties and taking into consideration the fact that there is case and counter case and that the petitioner is pursuing his engineering course and has no criminal antecedent, this application is allowed.

Let the petitioner, Mukesh Kumar Manjhi, in the



event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan, in connection with Basantpur Police Station Case No. 134 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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