

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44290 of 2019

Arising Out of PS. Case No.-24 Year-2017 Thana- MAHILA PS District- Gopalganj

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BRIJESH MANJHI @ BIJESH MANJHI Son of Yugal Manjhi Resident of
Village - Dodapur, P.S.- Uchkagaon, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Naresh Prasad

For the Opposite Party/s : Mr.Ajit Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 18-07-2019 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Gopalganj (Mahila) Police Station Case No. 24 of 2017, disclosing offences under Sections 341/323/346/511/34 of the Indian Penal Code and Sections 7/8 of the Protection of Children from Sexual Offences Act, 2012.

The allegation against the petitioner is that the petitioner, along with other accused persons, tried to block the passage, in front of the house of the informant, connecting the main road. On protest being made, the petitioner assaulted the mother of the informant. It is further alleged that on the same day, at about 2 PM, when the informant and her two brother were in the house, the accused persons, including the petitioner,



entered into the house, assaulted them and started disrobing the informant. On alarm being raised, the villagers came and the accused persons fled away.

Learned Counsel for the petitioner submits that the petitioner has been falsely implicated in the background of the land dispute. He submits that the petitioner is working in the Indian Army and was not present at the place of occurrence and in support of this statement, he draws my attention to Annexure-2 to this application, which is a certificate issued by the Incharge of 21 Corps (GS PLG), confirming that the petitioner was present in his unit from 12.05.2017 to 10.11.2017 and the alleged occurrence has taken place on 12.05.2017. He further submits that similarly situated co-accused persons, Raghunandan Manjhi and Nandji Manjhi, have been granted anticipatory bail by order, dated 12.12.20108, passed in Criminal Misc. No. 62334 of 2018.

After having heard learned Counsel for the parties and taking into consideration the fact that the petitioner was in his unit on the date of occurrence and similarly situated co-accused persons have been granted anticipatory bail by this Court, this application is allowed.

Let the petitioner, Brijesh Manjhi @ Bijesh 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 1st Additional Sessions Judge, Gopalganj, in connection with Gopalganj (Mahila) Police Station Case No. 24 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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