

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.86096 of 2019**

Arising Out of PS. Case No.-51 Year-2019 Thana- ANGARGHAT District- Samastipur

1. MADAN MANJHI Son of Maheshwar Manjhi Resident of Village - Supaul Rewari, P.S.- Angarghat, District - Samastipur.
2. Ramesh Manjhi Son of Muneshwar Manjhi Resident of Village - Supaul Rewari, P.S.- Angarghat, District - Samastipur.
3. Sakal Manjhi Son of Late Kishundeo Manjhi Resident of Village - Supaul Rewari, P.S.- Angarghat, District - Samastipur.
4. Ram Babu Manjhi Son of Dinesh Manjhi Resident of Village - Supaul Rewari, P.S.- Angarghat, District - Samastipur.
5. Sundeshar Manjhi Son of Late Mahendra Manjhi Resident of Village - Supaul Rewari, P.S.- Angarghat, District - Samastipur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.Mritunjay Prasad Singh, Advocate
For the State	:	Mr.Nagendra Prasad, APP
For the Informant	:	Mr. Bimlesh Kumar Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

5 25-09-2020 Heard learned counsel for the petitioners and Mr. Nagendra Prasad, learned A.P.P. for the State as well as Mr. Bimlesh Kumar Pandey, learned counsel for the informant.

Petitioners, in the present case, are seeking pre-arrest bail in connection with Angarghat P.S. Case No. 51/2019 registered for the offence under Section 148, 149, 341, 323, 324, 307, 354, 427, 379, 506 and 504 of the Indian Penal Code.

Learned counsel for the petitioners submits that there is a case and counter case between the parties who seem to have



indulged in the present occurrence, the allegation is that the petitioners' side were putting pressure upon the informant's side to drop an earlier case. They have also got land dispute. It is the submission of learned counsel for the petitioners that both sides have received injuries in the free-fight and out of 17 named accused in the F.I.R. 11 have been granted bail by the learned court below.

On the other hand, learned A.P.P. as well as Mr. Bimlesh Kumar Pandey, learned counsel for the informant have jointly opposed the prayer for anticipatory bail of the petitioners. It is pointed out that there are specific allegations against each of the present petitioners of causing assault on the vital part of the bodies of the informant and five others. The informant has suffered seven injuries out of which injury no. 5 is grievous in nature which has been specifically attributed to co-accused Ganesh Manjhi who has been granted anticipatory bail by learned court below.

It is the submission of learned counsel for the informant that the informant has been advised to file application for cancellation of bail of the co-accused Ganesh Manjhi, however so far as the present petitioners are concerned, their prayer for anticipatory bail have been rightly rejected by the learned court below. It is



pointed out that the other parties of the informant's side namely Geeta Devi has suffered six injuries, Uttam Manjhi has suffered five injuries, Bipin has suffered two injuries, Sanjay Manjhi has suffered three injuries and Birju Manjhi has suffered four injuries. In the circumstances, it is submitted that the petitioners do not deserve privilege of anticipatory bail.

Having regard to the facts and circumstances of the case wherein it appears on perusal of the records that the informant and others have been brutally assaulted by the petitioners and there are specific allegations against all of them, this Court is not inclined to grant privilege of anticipatory bail to the petitioners.

Prayer for anticipatory bail of the petitioners is, thus, refused.

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

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

