

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8769 of 2020

Arising Out of PS. Case No.-144 Year-2019 Thana- KARPI District- Jehanabad

1. BINDESHWARI MANJHI @ BINESHWARI MANJHI Son of Ramcharan Manjhi Resident of Village - Newna, P.S.- Karpi, District - Arwal
2. Sohan Manjhi Son of Ramcharan Manjhi Resident of Village - Newna, P.S.- Karpi, District - Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjay Kumar Singh
For the Opposite Party/s : Mr.Rajeev Nayan

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 28-02-2020 At the outset, the learned counsel for the petitioners seeks to withdraw the present petition qua the petitioner no.1, namely, Bindeshwari Manjhi @ Bineshwari Manjhi, however, with liberty to surrender before the learned counsel below and seek regular bail.

Heard the learned counsel for the petitioners and the learned APP for the State.

The petitioner No.2 apprehends his arrest in connection with Karpi P.S. Case No. 144 of 2019 for the offence punishable under Sections 341, 323, 324, 307, 504 r/w 34 of the Indian Penal Code.

The case of the prosecution in brief is that the petitioner no.1 had assaulted the husband of the informant by *garasa* in his stomach, however a general and omnibus



allegation has been levelled against the petitioner no.2.

The learned counsel for the petitioner has submitted that the allegation levelled by the prosecution would show that the petitioner no.1 is stated to have hit the husband of the informant by *garasa* in stomach, however, no allegation of any sort of overt act has been levelled against the petitioner no.2. The petitioner no.2 is stated to be having a clean antecedent.

Having regard to the facts and circumstances of the case and considering the submissions made by the learned counsel for the petitioner, coupled with the fact that the petitioner No.2 is having a clean antecedent, I deem it fit and proper to admit the petitioner No.2 to the privilege of anticipatory bail.

Accordingly, in the event of arrest or surrender in the court below within a period of four weeks from today, the petitioner No.2, namely, Sohan Manjhi, is directed to be released on anticipatory bail on furnishing bail- bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned ACJM IV, Arwal in connection with Karpi P.S. Case No. 144 of 2019, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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