

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12720 of 2021

Arising Out of PS. Case No.-509 Year-2020 Thana- MASHRAK District- Saran

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DAULAT MANJHI S/o Late Yadav Lal Manjhi R/o village- Padmoul, P.S.-
Mashrakh, District- Saran

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harish Kumar, Advocate

For the Opposite Party/s : Dr. Ajeet Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-12-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in Mashrakh P.S.
Case No.509 of 2020, registered for the offences punishable
under Sections 341, 302, 504, 506 and 34 of the Indian Penal
Code.

Allegation against the petitioner is that he along with
his wife assaulted the brother of the informant brutally due to
which the brother of the informant died.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case. It is
submitted that the brother of the informant sustained head injury
in an accident and taking undue advantage of the situation,
present case was lodged against the petitioner. The petitioner



has got no criminal antecedent as stated in para 3 of the bail petition. It is further submitted that the occurrence took place on 29.08.2020 and the FIR was lodged on 19.09.2020. There is no explanation of delay in lodging the FIR.

Learned APP for the State opposed the prayer for anticipatory bail of the petitioner and submitted that the petitioner and his wife brutally assaulted the brother of the informant. From perusal of the order impugned, it appears that the witnesses have supported the prosecution case.

Having considered the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

However, the petitioner is directed to surrender before the learned court below within a period of four weeks from today and the learned court below shall consider prayer for regular bail of the petitioner preferably on the same day without being prejudiced from the order of this Court.

(Anjani Kumar Sharan, J.)

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