

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 26987 of 2020**

Arising Out of PS. Case No.-149 Year-2019 Thana- MASHRAK District- Saran

CHHOTELAL MANJHI S/o Late Salukat Manjhi Resident of Village-
Khairanpur, P.S.-Mashrakh, District-Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Harish Kumar, Advocate

For the Opposite Party/s : Mr Amitesh Kumar, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

6 **12-03-2021** Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner apprehends arrest in Mashrakh
(Mufassil) Police Station (for brevity, *PS*) Case No 149 of 2019
instituted for the offence punishable under Sections 147, 148,
149, 341, 302 of Indian Penal Code.

Allegation in the First Information Report is regarding
abuse and assault by seven persons including the petitioner.

It is submitted by the petitioner's counsel that specific
assault is against co-accused Mahesh Manjhi who is alleged to
have dragged the informant's father and thrown him on the
floor. Submission is that the petitioner's name has been
implicated on extraneous considerations and that other co-



accused have been allowed anticipatory bail by this Court in Cr Misc No 75683 of 2019. The victim, in fact, has died on account of old age as the injury report does not find any external injury on him. The petitioner has no criminal antecedent.

Learned APP for the State has opposed the prayer for anticipatory bail.

Having considered the rival submissions, prayer for anticipatory bail is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks from today, be released on anticipatory bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate VI, Saran at Chapra in Mashrakh PS Case No 149 of 2019 subject to the conditions as laid down under Section 438 (2) of Criminal Procedure Code and also the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on



each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

M.E.H./-

U		T	
---	--	---	--

