

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35590 of 2020

Arising Out of PS. Case No.-172 Year-2020 Thana- AKBARPUR District- Nawada

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1. PAWAN MANJHI SON OF PYAREY LAL MANJHI @ PYARAY MANJHI
RESIDENT OF VILLAGE - PANCHGAWAN, POLICE STATION -
AKBARPUR, DISTRICT- NAWADA
 2. VIKASH MANJHI SON OF NARESH MANJHI RESIDENT OF
VILLAGE - PANCHGAWAN, POLICE STATION - AKBARPUR,
DISTRICT- NAWADA

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Birendra Kumar
For the Opposite Party/s : Mr. Satyadeo Singh Yadav

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 09-04-2021 As prayed for, let the learned counsel appearing for the petitioners remove the defect(s), as pointed out by the office vide its notes dated 16.12.2020, within four weeks of starting of Court proceeding in physical mode in normal course.

Learned counsel appearing on behalf of the petitioners seeks permission to withdraw the application filed on behalf of the petitioner No. 2, namely, Vikash Manjhi as he has already been apprehended by the Police.

In view of the above, the application filed on behalf of the petitioner No. 2, namely, Vikash Manjhi is dismissed as withdrawn.



Heard learned counsel for the petitioner No.1 Pawan Manjhi and the learned A.P.P. for the State through video conferencing.

The petitioner No.1 Pawan Manjhi apprehend his arrest in connection with Akbarpur P.S. Case No. 172 of 2020, registered under Sections 147, 341, 323, 307 and 379 of the Indian Penal Code, pending in the court of the learned Chief Judicial Magistrate, Nawada.

The accusation is that informant Chandan Kumar was returning from Baba Brick-kiln, situated at village-Panchgawan after receiving cash of Rs. 11,000/-, to his house. In the way, 7-8 persons having lathi and stick surrounded him, out of them one Pawan Manjhi (Petitioner No.1) asked to give money, when he made protest then Vikash Manjhi, Dharmendra Manjhi along with 3-4 others surrounded him and started to cause assault through lathi and stick. At that time, Pawan Manjhi (Petitioner No.1) gave iron-rod blow at his head and, thereafter, all took cash of Rs. 11,000/-, but, anyhow, he informed to his brother, on mobile, then he came and he rushed him for Sadar hospital, Nawada, for treatment, from where he was referred to Patna for better treatment.

Learned counsel appearing on behalf of petitioner



No.1 Pawan Manjhi submits that petitioner has falsely been implicated in this case.

It appears from perusal of F.I.R. that there is specific allegation against the petitioner to cause head injury to the informant through iron-rod and the fardbeyan of the informant Chandan Kumar appears to be recorded at Trauma Centre, PMCH, Patna.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner No.1, Pawan Manjhi, I am not inclined to grant pre-arrest bail to the petitioner. Accordingly, his prayer for grant of pre-arrest bail stands rejected. The petitioner is directed to surrender before the trial Court within four weeks and pray for regular bail, which shall be considered by the trial Court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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