

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40193 of 2020

Arising Out of PS. Case No.-298 Year-2018 Thana- BELHAR District- Banka

1. NARAD MANJHI Son of Mundra Manjhi Resident of Village- Belhar Basti, P.S.- Belhar, Distt- Banka.
2. ATAL KUMAR @ ATAL MANJHI Son of Wakil Manjhi Resident of Village- Belhar Basti, P.S.- Belhar, Distt- Banka.
3. ROHIT KUMAR @ ROHIT MANJHI S/o Fakir Manjhi @ Bhikhari Manjhi Resident of Village- Belhar Basti, P.S.- Belhar, Distt- Banka.
4. CHHAILA BIHARI KUMAR @ BEHRA MANJHI Son of Okil Manjhi Resident of Village- Belhar Basti, P.S.- Belhar, Distt- Banka.
5. GUPTA MANJHI Son of Mundra Manjhi Resident of Village- Belhar Basti, P.S.- Belhar, Distt- Banka.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad, Adv.
For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 21-06-2021 Heard Mr. Brij Nandan Prasad, learned counsel for

the petitioner and Mr. Md. Aslam Ansari, learned APP for the

State.

The petitioners seek bail in anticipation of their

arrest in connection with Belhar P.S. Case No. 298 of 2018

instituted for the offences under Sections 302/34 of the

Indian Penal Code.

It has been submitted on behalf of the petitioners

that though they have been named in the F.I.R. but no



specific accusation has been levelled against them. There is an unusual delay in lodging the First Information Report. With respect to an occurrence which took place on 23.10.2018, it has been pointed out that the F.I.R was lodged on 30.10.2018.

The informant has come out with a zany story in the First Information Report. The deceased, who is the husband of the informant was assaulted by accused persons including the petitioners for having forcibly entered into the house of one Ramji Manjhi on the pretext of selling milk. Ramji Manjhi has not been made accused in this case.

The circumstances of the case reveal that perhaps the deceased was harassing the family of Ramji Manjhi for which there was a protest and the deceased was assaulted.

Be that as it may, considering the aforesaid facts, some of the other accused persons of this case have been granted anticipatory bail by different Benches of this Court

Under such circumstances, learned counsel for the petitioners has submitted that the petitioners also deserve the privilege of anticipatory bail.



Having heard the parties and after having perused the records, this Court is inclined to admit the petitioners to anticipatory bail.

The petitioners, above named, are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Belhar P.S. Case No. 298 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashutosh Kumar, J)

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