

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1288 of 2021

Arising Out of PS. Case No.-168 Year-2019 Thana- SIDHWALIYA District- Gopalganj

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RAMA MANJHI SON OF BHAGWAT MANJHI RESIDENT OF VILLAGE
- SUPAULI, P.O. - JHAJHAWA BAZAR, P.S. - SIDHWALIA, DISTRICT -
GOPALGANJ

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vyas Kumar Mishra, Advocate
For the Opposite Party/s : Ms. Madhuri Lata, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 09-07-2021 Heard Mr. Vyas Kumar Mishra, learned

Advocate for the petitioner and Ms. Madhuri Lata,

learned APP for the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Sidhwalia P.S. Case No. 168 of
2019 dated 06.09.2019 instituted for the offences under
Sections 341, 323, 324, 325, 342 and 307/34 of the
Indian Penal Code.

The informant has alleged in the FIR that his
brother-in-law was assaulted by the petitioner and others
on suspicion that he is a child lifter.



Learned counsel for the petitioner has submitted that the name of the petitioner and others was provided to the informant by local persons. The identification of the petitioner appears to be doubtful.

Apart from this, it has been argued that assuming but not admitting the fact that the accusation in the FIR is correct, there could not have been any intention on the part of the anyone of the accused persons including the petitioner to have killed the deceased. All that the accused persons were trying to do was to prevent the deceased from taking away any child of the locality. It has further been submitted that the FIR has been lodged after four days of the occurrence.

Considering the aforementioned background facts, two of the accused persons of this case have been granted bail by different Benches of this Court.

Considering the entire set of circumstances and taking into account the fact that the name of the petitioner though finds mention in the FIR but the source



of such information has remained obscure, the petitioner is directed to be released on bail, in the event of his 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 his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-VI, Gopalganj in connection with Sidhwalia P.S. Case No. 168 of 2019, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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