

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.852 of 2021

Arising Out of PS. Case No.-329 Year-2020 Thana- DHAKA District- East Champaran

1. BAIDYANATH MANJHI @ BAIDYANATH @ VAIDYANATH MANZI
Son of Horil Manjhi Resident of Village- Yadopur Nanhkar, P.S.- Dhaka,
Distt- East Champaran.
2. Fekan Manjhi Son of Horil Manjhi Resident of Village- Yadopur Nanhkar,
Police Station- Dhaka, Distt- East Champarn

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar
For the Opposite Party/s : Mr. Permeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-07-2021 Heard learned counsel for the petitioners and learned
APP for the State through virtual mode.

Learned counsel for the petitioners is directed to
remove the defects, as pointed out by the Office, within a period
of four weeks after restoration of normalcy.

The petitioners are apprehending their arrest in a
case registered under Sections 147, 148, 149, 323, 324, 326, 307
of the Indian Penal Code in which section 302 IPC was added
later on.

The prosecution allegation, in short, is that the accused
persons assaulted the informant and family members due to
which they sustained injuries. The informant received head



injuries and treated at hospital and later returned home and thereafter he died.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. General and omnibus allegation has been made against the petitioners. No specific overt act is alleged against the petitioners. Though in the order of the Sessions Court, it has been indicated that there is specific allegation of assault alleged against the petitioners but in paragraph 8 of the application, the petitioners have stated that the said finding in the order is error of record. There is no specific overt act alleged against the petitioners. Altogether 17 persons have been named in the F.I.R. including the petitioners.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances and also the lockdown, the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on their personal bonds to the satisfaction of learned S.D.J.M.,



Sikrahana at Dhaka, East Champaran in connection with Dhaka
P.S. Case No. 329/2020, subject to the conditions as laid down
under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners shall
furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) each
with two sureties of the like amount each within a period of
eight weeks to the satisfaction of the Court concerned in
connection with the aforesaid case.

(Sudhir Singh, J)

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