

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15056 of 2021

Arising Out of PS. Case No.-360 Year-2020 Thana- AKBARPUR District- Nawada

1. UPENDRA MANJHI, Son of Kashi Manjhi Resident of Village- Bhanail, P.S.- Akbarpur, District- Nawada.
2. Sarjan Manjhi Son of Kashi Manjhi Resident of Village- Bhanail, P.S.- Akbarpur, District- Nawada.
3. Subodh Manjhi Son of Balmiki Manjhi Resident of Village- Bhanail, P.S.- Akbarpur, District- Nawada.
4. Valmiki Manjhi Son of Late Karu Manjhi Resident of Village- Bhanail, P.S.- Akbarpur, District- Nawada.

... .. Petitioner/s

Versus

The State of Biha

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrigendra Kumar

For the Opposite Party/s : Mr.AP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 25-02-2022 Heard Mr. Hansh Raj, learned Advocate for the

petitioners and learned APP for the State.

He seeks permission to withdraw the application

with respect to petitioner no. 4, who has been arrested

during the pendency of this application.

The application with respect to petitioner no. 4 is

dismissed as having become infructuous.

The petitioner nos. 1, 2 and 3 seek bail in

anticipation of their arrest in connection with Akbarpur P. S.



Case No. 360 of 2020, dated 08.07.2020, instituted for the offences under Sections 341, 323, 307 and 34 of the Indian Penal Code.

The marriage of the son of petitioner no. 1 was fixed to be solemnized with the daughter of the informant. However later, when the informant came to learn that the son of petitioner no. 1 was a married person but his marriage had been dissolved, refused to perform the marriage of his daughter with the son of petitioner no. 1. Because of this, the petitioners and others are said to have been assaulted the informant and others.

Though the petitioner no. 1 is specifically alleged to have used a Khanti in the assault but the victims have received only simple injuries on their persons which fact appear from the impugned order.

The learned Advocate for the petitioners has submitted that because of the failed negotiations, there was acrimony between the two families who are of the same village and an occurrence took place in which both sides clashed.



However, there does not appear to be any intention of causing such bodily injuries on any one of the victims which could lead to their death.

Considering the background facts and taking into account that the victims have suffered simple injuries and the fact that the petitioners do not have criminal antecedents, they are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nawada, in connection with Akbarpur P. S. Case No. 360 of 2020, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

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