

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15536 of 2022

Arising Out of PS. Case No.-165 Year-2020 Thana- MEHANDIGANJ District- Patna

MANNI CHOUDHARY @ MANNI KUMAR S/o Ramnath Choudhary
Resident of Loha Ka Pool, Beldari Tola, P.S.- Menhadiganj, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr.Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-09-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 323, 341, 307, 504, 506 and 34 of the Indian Penal Code read with Section 27 of the Arms Act.

The informant alleges that on 26.10.2020 at 9:30 pm, he got secret information about his son being assaulted on a bridge and when he reached the place of occurrence, he saw four accused, including the petitioner, assaulting his son with brick and stone and were abusing him. It is next alleged that when the informant and others intervened, Raju Chowdhary and petitioner mindlessly fired and ordered to kill and when informant started fleeing with his family, Raju Choudhary fired



at the informant's back, Pramod Mahto and Raja Mahto assaulted informant's son Raj Kumar with brick and sword and injured him thereafter the injured was taken to the hospital.

Learned counsel for the petitioner submits that the petitioner has antecedent of one case and has been falsely implicated in the present case, it is next submitted that the allegation appears to be doubtful as it has been alleged that Raju Chowdhary fired at the informant causing injury on his back and thereafter the accused persons assaulted his family members and son with brick and sword causing injury and they were taken to hospital and were treated at P.M.C.H. but from perusal of the *fardbyan* it would manifest that the informant himself had gone to the police station to get his *fardbyan* recorded which amply demonstrates that no injury was caused to any of the injured or to the informant. It is specifically submitted that there is no injury report in the case diary up till 05.04.2022 when the F.I.R. was instituted on 26.10.2020, this also demonstrates that the allegations are false and fabricated. Learned counsel further submits that even presuming what has been alleged is true without admitting then there is no specific allegation against the petitioner of firing and injuring the injured.

Learned A.P.P. for the State opposes the prayer for



anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Mehandiganj P.S. Case No. 165 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Rishi/-

U		T	
---	--	---	--

