

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24391 of 2022

Arising Out of PS. Case No.-101 Year-2020 Thana- FATEHPUR District- Gaya

RAJESH MANJHI S/o Suraj Manjhi Resident of Village- Gurpa Koltin,
Police Station- Fatehpur (Gurpa O.P.), District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar, Advocate
For the Opposite Party/s : Mr. Binod Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-11-2022 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 341, 323, 379, 308, 338 and 504 of the Indian Penal Code.

The informant alleges that on 21.05.2020 at 6:00 pm, petitioner assaulted informant's husband and when informant came to save him the petitioner assaulted her with brick causing injury on head, further, informant also took her golden earrings and silver chain and the golden locket of her husband.

Learned counsel for the petitioner submits that petitioner has antecedent of two cases. Learned counsel



further submits that petitioner has been falsely implicated in the present case, it is next submitted that there is a delay of five days in instituting the FIR without any plausible explanation, it is also submitted that injury is simple in nature, it is next submitted that the delay in instituting the FIR creates doubt with regard to the veracity of the allegations as alleged as the date of occurrence is 21.05.2020 and the FIR has been instituted on 25.05.2020.

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Fatehpur P.S. Case No. 101 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

Further, the learned Trial Court before accepting



the bail bond shall verify whether any process under Section 82 CrPC has been issued against the petitioner or not.

In the event if any process under Section 82 CrPC has been issued against the petitioner then the present anticipatory bail order shall not be given effect.

(Satyavrat Verma, J)

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