

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38399 of 2022

Arising Out of PS. Case No.-152 Year-2022 Thana- SIWAN MUFFASIL District- Siwan

1. Nikesh Kumar @ Nikesh Kumar Manjhi @ Chunna Son Of Late Ramayan Manjhi Resident Of Village - Baghada, P.S. - Siwan Muffasil, District - Siwan.
2. Nitesh Manjhi @ Nitish Kumar Son Of Bharat Manjhi Resident Of Village - Baghada, P.S. - Siwan Muffasil, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh
For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-11-2022 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioners undertakes to remove the defects within three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 341, 323, 325, 379, 504, 34 of the Indian Penal Code and Section 8 of the POCSO Act.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He submits that there is case and counter case between the parties and both sides have sustained injury. He submits that



all six injuries except injury no. 1 found upon the victim is simple in nature. He submits that there is general and omnibus allegation levelled against the petitioners. He submits that occurred took place on 20.02.2022 but the FIR has been lodged on 15.03.2022 after delay of 23 days without explaining any reasonable cause of delay. He further submits that petitioners have no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case, let the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each 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 Siwan Muffasil P.S. Case No. 152 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

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(Anjani Kumar Sharan, J)

