

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64768 of 2021

Arising Out of PS. Case No.-209 Year-2021 Thana- MASHRAK District- Saran

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1. ANIL MANJHI @ ANIL KUMAR MANJHI Son of Sudarshan Manjhi
Resident of Village - Shekhpura, P.S.- Mashrakh, Distt.- Saran.
 2. RAJU MANJHI @ RAJU KUMAR MANJHI Son of Sudarshan Manjhi
Resident of Village - Shekhpura, P.S.- Mashrakh, Distt.- Saran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harish Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 25-07-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 354, 307, 379, 504, 506 and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that on account of dispute relating to fishing with the son of the informant, the present occurrence took place in which it is alleged that Raju Manjhi (petitioner no.2) assaulted Chandan, son of the informant by *farsa* on his head and Anil Manjhi (petitioner no.1) assaulted the informant and his wife with brick



and stone causing injury on non-vital part of the body.

Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case, the dispute arose on account of fishing with the son of the informant, it is next alleged that one of the injury of Chandan is simple in nature and the other injury is on forehead, the opinion has been reserved and as far as injuries on informant and others are concerned, the injuries are simple in nature and are on non-vital part of the body. Learned counsel submits that from the side of the petitioners also Mashrakh P.S. Case No. 208 of 2021 was instituted and the present case is a counterblast to the said case.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners and submits that as far as Raju Manhi is concerned he is alleged to have assaulted the son of the informant by *farsa* on his forehead and the opinion in that regard is reserved by the doctor that amply demonstrates that the nature of injury is not simple and is on the vital part of the body.

Considering the submissions made by the learned counsel for the petitioners, the petitioner no.1, Anil Manjhi, 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. 5,000/- (Rupees Five 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 Mashrakh P.S. Case No. 209 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

As far as prayer for anticipatory bail of petitioner no.2 Raju Manjhi is concerned, the Court is not inclined to extend privilege of anticipatory bail to him.

His prayer for anticipatory bail is thus rejected.

(Satyavrat Verma, J)

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