

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70683 of 2021

Arising Out of PS. Case No.-377 Year-2019 Thana- BARACHATTI District- Gaya

1. Sanjay Manjhi, Son of Late Bechan Manjhi, Resident of Village- Sarsovavad, P.S.- Mohanpur, District- Gaya.
2. Aditiya Manjhi, Son of Satan Manjhi, Resident of Village- Sarsovavad, P.S.- Mohanpur, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar, Adv.

For the Opposite Party/s : Mr.Md. Anbzarul Haque Sahara, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 13-06-2022 Learned counsel for the petitioners undertakes to remove all the defects pointed out by the Stamp Reporter within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners in the present case are seeking regular bail in connection with Barachatti (Mohanpur) P.S. Case No.377 of 2019 registered for the offences punishable under Sections 341, 323, 448, 307, 379, 427, 504, 506/34 and 302 of the Indian Penal Code. They are in custody since 11.08.2021. The petitioners have got no criminal antecedent.

Learned counsel for the petitioners submits that the



present case has been lodged by one Sangeeta Devi who has alleged that while she was working as Anganwadi Sevika in the Anganwadi Centre, a scuffle took place with one Niru Manjhi, the dispute was settled between the parties but later on her co-villagers Saryu Ravidas and Dilip Ravidas indulged in marpit then on hearing sound when she reached there, she saw that Rakesh Ravidas and Kapil Ravidas were in support of Saryu Ravidas and they reached there and assaulted Dilip Ravidas then Dilip Ravidas also assaulted by wooden piece on the head of Rakesh Ravidas due to which he fell down then Raju Ravidas, sister Sunaina Devi, Behnoi Rajesh Ravidas, Gauri Devi, Arti Devi, Niru Manjhi and other named accused came assaulted to Dilip Ravidas and from the side of Dilip Ravidas, Savita Devi, Gyanti Devi, Kiran Devi and others came and they tried to rescue him.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. Learned counsel submits that there are general and omnibus kind of allegations against them. It is submitted that the co-accused similarly situated have been granted bail by this Court in Cr.Misc.No.40717 of 2021 and Cr.Misc.No.45969 of 2021 and some of the co-accused have been granted bail by a



learned coordinate Bench of this Court in Cr.Misc.No.23148 of 2021.

Learned APP for the State has opposed the prayer for regular bail of the petitioners.

Having regard to the submission that so far as these two petitioners are concerned, there are general and omnibus kind of allegations against them, the co-accused similarly situated have been granted bail by this Court in Cr.Misc.No.40717 of 2021 and Cr.Misc.No.45969 of 2021 and some of the co-accused have been granted bail by a learned coordinate Bench of this Court in Cr.Misc.No.23148 of 2021, the petitioners have remained in custody since 11.08.2021, they have no criminal antecedent and their presence may also be secured in course of trial, this Court directs release of the petitioners above named on bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand Only) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Sherghati, District-Gaya in connection with Barachatti (Mohanpur) P.S. Case No.377 of 2019, subject to the conditions as laid down under Section 437(3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any



stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

