

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4896 of 2023

Arising Out of PS. Case No.-167 Year-2022 Thana- GARKHA District- Saran

1. HEERA MANJHI @ HEERALAL MANJHI S/O NANAK PASWAN R/v- Raghupur, P.S.- Garkha, District- Saran at Chapra.
2. TAMATAR MANJHI @ TARKESHWAR MANJHI S/o Chaturi Manjhi R/v- Raghupur, P.S.- Garkha, District- Saran at Chapra.
3. TUFAN MANJHI @ TUFAN KUMAR MANJHI S/o Bhagwat Manjhi R/v- Raghupur, P.S.- Garkha, District- Saran at Chapra.
4. CHANDAN PASWAN @ CHANDAN KUMAR PASWAN S/o Raj Kumar Manjhi R/v- Raghupur, P.S.- Garkha, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh
For the Opposite Party/s : Mr.Raj Kishor Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-04-2023 Heard both sides.

Petitioners apprehend their arrest in connection with Garkha P.S. Case No.167 of 2022, registered for the offences punishable under Sections 341, 323, 504, 506, 307 and 34 of the Indian Penal Code.

Petitioner No.3, Tufan Manjhi is said to have assaulted the informant by means of *lathi* causing fracture injury in his left hand. It is also alleged that petitioner no.1, Heera Manjhi is said to have assaulted the informant on his head causing bleeding injury. Other accused persons have also assaulted him with *lathi-danda*.



Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. It is submitted that the petitioners have got no criminal antecedent as stated in paragraph-3 of the bail petition. It is further submitted that there is case and counter case between the parties. The specific allegation is against petitioner no.3, Tufan Majhi who assaulted the informant by means of lathi and the injury was found grievous in nature. It is also submitted that there is general and omnibus allegation against other petitioners.

Learned APP for the State opposed the prayer for grant of anticipatory bail to the petitioners.

Taking into consideration the nature of injury, I am not inclined to enlarge petitioner no.3, namely, Tufan Manjhi @ Tufan Kumar Manjhi on anticipatory bail. Accordingly, the prayer for grant of anticipatory bail to petitioner no.3, Tufan Manjhi @ Tufan Kumar Manjhi is hereby rejected.

So far as other petitioners are concerned, considering the fact there is general and omnibus allegation against petitioners no.1, 2 and 4, let petitioners no.1, 2 and 4, above named, 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 bonds of Rs.25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Saran at Chapra in connection with Garkha P.S. Case No.167 of 2022, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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