

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19280 of 2023

Arising Out of PS. Case No.-153 Year-2022 Thana- PIPRAKOTHI District- East Champaran

1. Bega Manjhi S/o Late Gulam Manjhi, Resident of Village- Jhakhra Balua, P.S.- Pipra Kothi, District- East Champaran.
2. Bachcha Manjhi S/o Bega Manjhi, Resident of Village- Jhakhra Balua, P.S.- Pipra Kothi, District- East Champaran.
3. Mantoo Manjhi S/o Bega Manjhi, Resident of Village- Jhakhra Balua, P.S.- Pipra Kothi, District- East Champaran.
4. Tuntun Manjhi S/o Bega Manjhi, Resident of Village- Jhakhra Balua, P.S.- Pipra Kothi, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shanti Bhushan Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 12-06-2023 Heard Mr. Shanti Bhushan Singh, learned counsel for the petitioners and Mr. Sanjay Kumar Sharma, learned APP for the State.

The petitioners apprehend their arrest in connection with Pipra Kothi P.S. Case No. 153 of 2022 registered for the offences punishable under Sections 447, 341, 323, 327, 504 and 506/34 of the Indian Penal Code.

It is alleged that while the petitioners were making ridge in the field of the informant, the same was objected by him, whereupon all the petitioners assaulted him.



Learned counsel for the petitioners drawing the attention of this Court to the FIR submits that from the FIR, it is evident that though the allegation has been levelled that the petitioners Bega Manjhi and Mantoo Manjhi tried to assault the informant by means of spade but he anyhow saved himself. Thereafter, petitioner Tuntun Manjhi also assaulted the informant by means of *garasa* but he has not mentioned as to whether he sustained any injury or not. He further submits that, in fact, there is a land dispute between the parties and the informant in order to grab the land, instituted a false case against the petitioners with a view to pressurize them. He next submits that though the alleged occurrence took place on 21.05.2022, but the FIR has been instituted after delay of three days on 24.05.2022 without any plausible explanation. He lastly submits that the petitioners are men of fair antecedent and they undertake that they will cooperate in the investigation.

On the other hand, learned counsel for the State opposes the application for pre-arrest bail.

Regard being had to the submissions made on behalf of the parties and considering the nature of allegation and moreover there is no discussion about the injury sustained to the informant in the impugned order, coupled with the fair



antecedent of the petitioners, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., East Champaran, Motihari in connection with Pipra Kothi P.S. Case No. 153 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Harish Kumar, J)

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