

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23815 of 2023

Arising Out of PS. Case No.-208 Year-2022 Thana- BARHARIA District- Siwan

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1. BADRI MANJHI S/O LATE MOTH MANJHI R/O Bhalua, P.S-
Barhariya, Distt.- Siwan.
 2. Anil Kumar Manjhi @ Anil Manjhi @ Anil Kumar S/O Badri Manjhi R/O
Bhalua, P.S- Barhariya, Distt.- Siwan.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Advocate

For the Opposite Party/s : Mr. Arun Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 17-07-2023 1. Heard learned counsel for the petitioners and

learned A.P.P. for the State.
2. The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 341,
323, 324, 308, 379 and 34 of the Indian Penal Code.
3. The informant alleges that accused persons
came variously armed and petitioner no. 1 assaulted the
informant by rod causing injury on head and petitioner no. 2
assaulted Lal Bibi by *gada* causing injury on head,
Chanda and Sonali took out gold ornaments and cash kept
for her daughter's wedding.
4. The learned counsel for the petitioners submits



that petitioners are persons with clean antecedent and have been falsely implicated in the present case, it is next submitted that there is a case and a counter case, it is also submitted that there is land dispute between the parties as they are agnates. The learned counsel for the petitioners submits that from perusal of the allegation as alleged in the FIR it would manifest that the blow was not repeated, as such, there was no intention of committing a serious occurrence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners and submits that allegation is of assaulting by rod and gadasa on head of the injured which is vital part of the body, it is further submitted that even the nature of injury is not stated in the anticipatory bail application but from perusal of the impugned order it appears that the opinion with regard to injury has been reserved.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today,



be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Barharia P.S. Case No. 208 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, the learned trial Court before accepting the bail bonds of the petitioners shall verify the injury report of the injured and in the event, if it is found that the injury suffered by the injured on head is grievous in nature then in that event the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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