

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30947 of 2023

Arising Out of PS. Case No.-102 Year-2022 Thana- MAHKAR District- Gaya

1. AJAY MANJHI @ JHINGI MANJHI SON OF CHANESHWAR MANJHI
R/O VILLAGE- PARWATI NAGAR, P.S.- MAHKAR, DISTRICT- GAYA
2. RANJAY @ JHABHU MANJHI @ RANJAY MANJHI SON OF
CHANESHWAR MANJHI R/O VILLAGE- PARWATI NAGAR, P.S.-
MAHKAR, DISTRICT- GAYA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar
For the Opposite Party/s : Mr.Parmanand Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 14-07-2023 Heard the learned counsel for the petitioners and the
learned A.P.P. for the State.

2. This is an application for grant of anticipatory bail in
connection with Mahkar P.S. Case No. 102 of 2022, registered
for the offence punishable under Sections 147, 148, 149, 323,
307, 332, 333, 353, 504 and 506 of the Indian Penal Code.

3. The case of the prosecution in brief is that after the
informant got secret information that some persons are beating
the driver of a tractor at Mahkar More, he reached there with
police force and saw that some persons had intercepted the
tractor in question and were forcefully taking away the same.
The informant has further alleged that upon him questioning



the miscreants, all the accused persons started abusing and attacking the police party, leading to the police personnel sustaining injuries.

4. The learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in the present case. The learned counsel for the petitioners has further submitted that the petitioners were having clean antecedent prior to the present incident, however, they have been made accused in one another criminal case, arising out of the present incident in question. It is further submitted that a general and omnibus allegation has been levelled against all the accused persons and the injuries, if any sustained by the injured police officials, have been found to be simple in nature. It is further submitted that similarly situated co-accused person has already been granted the privilege of anticipatory bail by a coordinate Bench of this Court, vide order dated 16.5.2023, passed in Criminal Miscellaneous No. 9401 of 2023.

5. Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioners, taking into account the materials available on record



as also considering the parity of the case of the petitioners with that of the co-accused person, who has already been granted anticipatory bail, by a coordinate Bench of this Court, I deem it fit and proper to admit the petitioners to the privilege of anticipatory bail.

7. Accordingly, the petitioners are directed to be enlarged on anticipatory bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate,-I, Gaya, in connection with Mahkar P.S.Case No. 102 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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