

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.40133 of 2023

Arising Out of PS. Case No.-748 Year-2022 Thana- GARKHA District- Saran

1. CHHATHILAL MANJHI son of Late Ram Pukar Manjhi Village- Rahampur Ps- Garkha Dist- Saran
2. Krishna Manjhi son of Late Ram Pukar Manjhi Village- Rahampur Ps- Garkha Dist- Saran
3. Mani Shankar @ Mani Manjhi son of Rishi Manjhi Village- Rahampur Ps- Garkha Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gaurav Kumar

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 02-08-2023 Heard learned Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Garkha Police Station Case No. 748 of 2022, dated 27.11.2022, disclosing offences under Sections 147/148/149/323/324/307/379/504 of the Indian Penal Code.

The prosecution case, on the basis of the First Information Report, is that the informant, while he was returning home from shop, was surrounded by the petitioners due to previous enmity. The petitioner nos. 2 and 3 assaulted the



informant by means of sword on his head and petitioner no. 1 assaulted one Manoj Kumar by means of sword.

Learned Counsel for the petitioners submits that there is a previous enmity between the parties, as would be evident from First Information Report. He further submits that there is a counter case, bearing Garkha 749 of 2022, lodged by the side of the petitioners against the informant and others. Referring to Annexure-3 and 4 series, learned counsel submits that injuries caused to the informant and one Manoj Kumar are simple in nature.

Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that there is case and counter case between the parties and injury caused to the informant and others are simple in nature, I am inclined to grant the petitioners privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Saran at Chapra, in connection with Garkha Police



Station Case No. 748 of 2022, subject to the condition laid
down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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