

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60781 of 2023

Arising Out of PS. Case No.-407 Year-2022 Thana- FATEHPUR District- Gaya

Dilip Manjhi, S/O- Dukhan Manjhi @ Dukhan, Village- Gurpa Kathautiya
Kewal, P.O.- Gurpa P.S.- Fatehpur Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dharmendra Kumar Sinha, Advocate

For the Opposite Party/s : Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 16-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner, in the present case, is seeking pre-arrest bail in connection with Fatehpur P.S. Case No.407 of 2022 registered for the offences punishable under Sections 341, 323, 307 and 326 of the Indian Penal Code. The petitioner has got no criminal antecedent.

3. As per the prosecution story, the allegation against the petitioner is that he had assaulted the informant by knife due to which he sustained injuries on his forehead, nose and lips.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Learned counsel submits that the alleged occurrence which took place on 23.06.2022 has been reported to the police after 9



days. It is further submitted that the informant seems to have alleged that he sustained knife injuries on his forehead, nose and lips, however the learned Sessions Judge has noticed that the I.O. has not procured any injury report of the informant.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the facts and circumstances of the case wherein it is submitted that the alleged occurrence which took place on 23.06.2022 has been reported to the police after 9 days, the informant seems to have alleged that he sustained knife injuries on his forehead, nose and lips, however the learned Sessions Judge has noticed that the I.O. has not procured any injury report of the informant, in the circumstances, this Court directs that in case of his arrest/surrender within a period of six weeks from today, let the petitioner above-named be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-Xth, Gaya in connection with Fatehpur P.S. Case No. 407 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.



7. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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