

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58606 of 2023

Arising Out of PS. Case No.-284 Year-2021 Thana- ATRI District- Gaya

Mukku Manjhi @ Mukesh Manjhi, aged about 34 years (Male), S/O Shiva Manjhi @ Shiv Manzi, R/O Village- Narawat Tola Banwashi Nagar, PS- Atri, Dist. Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ujjawal Kumar Singh, Advocate
For the Opposite Party/s : Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 20-09-2023 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with Atri PS Case No.284 of 2021 dated 22.08.2021, instituted under Sections 147, 149, 341, 323, 379, 308, 504, 406 of the Indian Penal Code.

3. The prosecution case, in short, is that on the alleged date of occurrence the petitioner along with others entered into the house of the informant and started abusing. When the informant protested, they assaulted him by means of *lathi* and iron rod due to which he received head injury. Another co-accused, Balchand Manjhi attacked the informant's mother with sickle on account of which she received injury on her left arm.



Co-accused, Tipu Manjhi, assaulted the brother of the informant due to which he received several injury over head body. The accused persons also broke the lock of the shop and destroyed the goods kept in the shop and they took rupees two thousand from the shop.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is further submitted that both the parties are agnates and there is land dispute between them. It is further submitted that the allegation against the petitioner is that he assaulted the informant, Ranjeet Manjhi, by means lathi and iron rod, but the doctor has found simple injury on the person of Ranjeet Manjhi. Learned counsel further submits that co-accused, Manoj Manjhi, Ram Janam Manjhi and Anuj Manjhi have been granted anticipatory bail by a co-ordinate Bench of this Court by order dated 06.04.2023 passed in Cr. Misc. No.4412 of 2023. Lastly, it is submitted that the petitioner has no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon



furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya, in Atri PS Case No.284 of 2021, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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