

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68290 of 2022

Arising Out of PS. Case No.-163 Year-2022 Thana- SIKANDRA District- Jamui

1. BINOD MANJHI S/o Late Rampal Manjhi R/o Village- Tuladih, P.S.- Sikandra, Distt- Jamui.
2. JAGARNATH MANJHI S/o Late Rampal Manjhi R/o Village- Tuladih, P.S.- Sikandra, Distt- Jamui.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Prasad, Adv.

For the Opposite Party/s : Mr.Brajendra Nath Pandey, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-02-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 325, 302/34 of the Indian Penal Code.

Allegedly, petitioners along with other accused persons came to the house of the informant and started assaulting him and his family members. Petitioner no.1 is said to have given axe blow over the head of the informant's father.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. No such occurrence as alleged ever took place. Petitioners have



been falsely implicated in this case due to enmity. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail by submitting that petitioner no.1 gave axe blow over the head of the informant's father due to which his father died in course of treatment.

Having regard to the facts and circumstances of the case, as there is general and omnibus allegation against the petitioner no.2, let the petitioner no.2, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Sikandra P.S. Case No. 163 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

As there is specific allegation of assault against petitioner no.1, I am not inclined to enlarge the petitioner no.1 on bail. The prayer for bail of the petitioner no.1 is hereby rejected.



Accordingly this application stands partly allowed.

(Anjani Kumar Sharan, J)

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