

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71792 of 2022

Arising Out of PS. Case No.-154 Year-2020 Thana- SIKTI District- Araria

1. RAKAMLAL MANJHI S/O BATESHWAR MANJHI Resident of village- Singhiya ward no.- 7, P.S.- Sikty, District- Araria.
2. PINKI DEVI D/O JAMUN MANJHI Resident of village- Singhiya ward no.- 7, P.S.- Sikty, District- Araria.
3. JHUBARI DEVI W/O RAKAMLAL MANJHI Resident of village- Singhiya ward no.- 7, P.S.- Sikty, District- Araria.
4. PRATIMA DEVI W/O JABUN MANJHI Resident of village- Singhiya ward no.- 7, P.S.- Sikty, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha

For the Opposite Party/s : Mr.Raj Kishor Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 16-03-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 147, 148, 149, 341, 323, 324, 325, 326, 307, 384, 504 and 506 of the Indian Penal Code and later on 302 of I.P.C. was also added which is pending in the learned court below.

All the accused persons armed with deadly weapons assaulted the injured persons, namely, Paramanand Yadav, Shivanand Yadav and Sadanand Yadav causing fatal injuries.



Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He further submits that there is general and omnibus allegation against the petitioner nos.2, 3 & 4. He submits that there is no specific overt act against the petitioner nos.2, 3 & 4. He further submits that there is specific overt act against the petitioner no.1 to assault the injured persons. He further submits that petitioners have got no criminal antecedent as stated in para-3 of the bail application.

Learned APP for the State opposes for prayer for bail.

Considering the aforesaid facts and circumstances and the fact that there is specific overt act against the petitioner no.1 to assault the injured persons and injuries found upon the victims are grievous in nature, I am not inclined to enlarge the petitioner no.1 on bail in connection with Sikty P.S. Case No. 154/2020. Accordingly, his prayer for anticipatory bail is hereby rejected.

Insofar as petitioner no.2, 3 & 4 is concerned there is no specific overt act against these petitioners, let the petitioner nos.2, 3 & 4, named above, in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail



bonds of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Sikty P.S. Case No.154/2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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