

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89 of 2023

Arising Out of PS. Case No.-286 Year-2022 Thana- LAURIA District- West Champaran

1. Dharmendra Manjhi @ Dharmendra Paswan S/o Late Kawal Manjhi R/o Village Barwa Kala, Ward no. 3, P.S- Lauriya, Distt- West Champaran.
3. Munna Kumar @ Jitendra Paswan S/o Late Kawal Manjhi R/o Village Barwa Kala, Ward no. 3, P.S- Lauriya, Distt- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Milind Kumar Mishra, Advocate
For the State	:	Mr. Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-02-2023 Heard both sides.

The petitioners apprehend their arrest in connection with Lauriya P.S. Case No.286 of 2022, registered for the offences punishable under Sections 341, 323, 324, 307, 427, 447, 504 and 34 of the Indian Penal Code.

The petitioners alongwith other co-accused persons are said to have assaulted the informant by means of different weapons. When the father of the informant, Rajdev Sah came to save him, petitioner no.2, Jitendra Paswan assaulted him with *farsa* on his head causing bleeding injury and he fell down on the ground. Thereafter petitioner no.1, Dharmendra Paswan also assaulted him with iron rod on his left hand and right leg.

Learned counsel for the petitioners submits that the



petitioners are innocent and have falsely been implicated in the present case. The petitioners have got no criminal antecedent as stated in paragraph-3 of the bail petition. It is further submitted that there is case and counter case between the parties and both sides sustained injuries.

Learned APP for the State opposed the prayer for grant of anticipatory bail to the petitioners by submitting that the injury sustained by the father of the informant is grievous in nature.

Considering the fact that petitioner no.1, Dharmendra Manjhi @ Dharmendra Paswan assaulted the father of the informant by means of iron rod and injury sustained by the father of the informant is grievous in nature, I am not inclined to enlarge petitioner no.1 on anticipatory bail. Accordingly, the prayer for grant of anticipatory bail to petitioner no.1 is hereby rejected.

So far as petitioner no.2 is concerned, considering the fact that petitioner no.2, Munna Kumar @ Jitendra Paswan assaulted the father of the informant by means of *farsa* on his head, but the injury sustained by the father of the informant is simple in nature, let petitioner no.2, above named, in the event of his arrest or surrender before the learned court below within a



period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, 1st, Bettiah, West Champaran in connection with Lauriya P.S. Case No.286 of 2022, subject to the conditions laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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