

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13913 of 2024

Arising Out of PS. Case No.-701 Year-2023 Thana- MAJHAULIA District- West Champaran

1. Parmatma Manjhi S/o Langtu Manjhi R/o Rampurva ward no. 2, P.S. - Majhauriya, Distt. - West Champaran, Bihar
2. Paharlad Manjhi S/o Late Babulal Manjhi R/o Rampurva ward no. 2, P.S. - Majhauriya, Distt. - West Champaran, Bihar
3. Mejhu Manjhi @ Meghu Manjhi S/o Late Babulal Manjhi R/o Rampurva ward no. 2, P.S. - Majhauriya, Distt. - West Champaran, Bihar
4. Chandan Manjhi S/o Late Babulal Manjhi R/o Rampurva ward no. 2, P.S. - Majhauriya, Distt. - West Champaran, Bihar
5. Bhikham Manjhi S/o Late babulal Manjhi R/o Rampurva ward no. 2, P.S. - Majhauriya, Distt. - West Champaran, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rishabh Mishra, Advocate.
For the Opposite Party/s : Mrs.Nirmala Kumari, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 12-03-2024 Heard Mr. Rishabh Mishra, learned counsel appearing on behalf of the petitioners and Mrs. Nirmala Kumari, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Bettiah Manjhauliya P.S. Case No. 701 of 2023 registered for the offence punishable under Sections 147, 148, 149, 323, 307, 379, 354B, 504 and 506 of the Indian Penal Code.

3. As per the allegation made in the F.I.R., the accused persons along with the petitioners had assaulted the informant in



which the informant sustained injury on his head and back.

4. Learned counsel appearing on behalf of the petitioners submitted that the petitioners are innocent and the specific allegation against the petitioner nos. 1, 2 and 3 in the F.I.R. is that of assaulting on the back of the informant and in absence of any injury in the opinion of the doctor on the back of the informant, the allegation against them cannot be sustained. So far as the allegation against petitioner nos. 4 and 5 are concerned, the same is general and omnibus.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioners.

6. Having considered the rival submissions made on behalf of the parties as well as the fact that there is no allegation against the petitioners that they have assaulted on any of the vital part of the body while the allegation against the petitioner nos. 1, 2 and 3 is falsified as the doctor has not found any injury on the back of the body of the informant, the petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Bettiah, West



Champaran in connection with G.R. No.3752/2023, arising out of Majhauriya P.S. Case No. 701 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. The court below is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically lose its force.

(Purnendu Singh, J)

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