

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15170 of 2024

Arising Out of PS. Case No.-230 Year-2023 Thana- UCHKAGAON District- Gopalganj

Amarjit Manjhi @ Amarjeet Manjhi son of Dwarika Manjhi Village- Dodapur
P.S.- Uchkagawn Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harendra Prasad, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

2 13-03-2024 Heard Mr. Harendra Prasad, learned counsel

appearing on behalf of the petitioner and the learned Additional

Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Uchkagawn P.S. Case No. 230 of 2023, registered for the offences punishable under Sections 341, 323, 324, 307, 504 and 506/34 of the Indian Penal Code.

3. The allegation against the petitioner is of causing sword blow over the head of the informant, leading to serious injury.

4. Learned counsel for the petitioner submitted that the present case is nothing but a counter blast to Uchkagawn P.S. Case No. 229 of 2023, instituted against the informant and others. Moreover, the allegation of causing sword blow falls to the ground for the simple reason as the injury report suggests, only simple injury caused by hard and blunt substance. That



apart, there is a bona fide land dispute, as would be evident from the FIR and all the more, the petitioner is a man of fair antecedent and other co-accused persons, have been granted the privilege of anticipatory bail by the learned co-ordinate Bench of this Court in Cr. Misc. No. 61850 of 2023.

5. On the other hand, learned counsel for the State opposed the pre-arrest bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the injury report, which does not corroborate the allegation of causing sword blow, coupled with the fair antecedent and the case and counter case, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-IX, Gopalganj in connection with Uchkagawn P.S. Case No. 230 of 2023, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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