

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20731 of 2024

Arising Out of PS. Case No.-253 Year-2023 Thana- MANJHAGARH District- Gopalganj

Achhelal Manjhi Son of Babulal Manjhi Resident Of Vill Dharamparsa P.S
Manjhagarh Dist Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Singh, Advocate

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-04-2024 Heard Mr. Umesh Singh, learned counsel for the

petitioner and Mr. Nand Kishore Prasad, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Manjhagarh P.S. Case No. 253 of 2023, F.I.R. dated 22.07.2023 for the offences punishable under Sections 341, 323, 324, 326, 307, 436, 427, 448, 504, 506 and 34 of the Indian Penal Code.

3. According to prosecution case, all the accused persons including this petitioner have assaulted the informant and her daughter due to some drain dispute. It is further alleged that the accused persons have also burnt their house.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been



implicated in the present case and due to drain disputes between the parties, the present occurrence has been taken place. He further submits that the informant and the petitioner are co-villagers. He further submits that as per the allegation in the F.I.R the petitioner has assaulted the informant due to which she has received three injuries but the injury report of the informant suggests that the injuries are simple in nature caused by hard and blunt substance.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent and the injuries of the informant are simple in nature, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gopalganj in connection with Manjhagarh P.S. Case No. 253 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-



i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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