

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21386 of 2024

Arising Out of PS. Case No.-657 Year-2022 Thana- TURKAULIYA District- East
Champaran

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Anil Manjhi Son Of Bharat Manjhi Resident Of Village - Jaysinghpur,
Bahrupiya Tola Mauza, P.S. - Turkauliya, District - East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Advocate
For the Opposite Party/s : Mr.Dilip Kumar No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 24-04-2024 Heard Mr.Abhishek Kumar, learned counsel for the

petitioner and Mr.Dilip Kumar No. 1, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Turkauliya P.S. Case No.657 of 2022, FIR
dated 09.07.2022, registered for the offences punishable under
Sections 341,323,354,504,506 of IPC.

3. Allegation against the petitioner is that he entered
into the house of the informant and forcefully tried to establish
physical relation with the informant and when the informant
raised objection, this petitioner assaulted her.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent. He has falsely been implicated



in the present case due to some previous dispute between the parties with regard to the pathway. Further submits that the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR and it appears from the FIR that the date of occurrence as alleged in the FIR is 05.07.2022 but the present FIR has been instituted on 09.07.2022 after delay of four days without giving any explanation of delay and after the institution of the present FIR, both the parties have filed a compromise petition before the learned court below.

5. Learned APP for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts, petitioner has clean antecedent and both the parties have filed a compromise petition before the learned court below, let the petitioner, above named, in the event of his 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 learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Turkauliya P.S. Case



No.657 of 2022, 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/her absence on two consecutive dates without sufficient reason, his/her bail bonds shall be cancelled by the Court below.

(II) If the petitioner tamper 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/her criminal antecedents, 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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