

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26241 of 2024

Arising Out of PS. Case No.-236 Year-2023 Thana- BARHAT District- Jamui

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1. Ramdev Manjhi Son Of Late Kailu Manjhi, Resident Of Village - Katka, P.S. - Barhat, District - Jamui
 2. Jaldhar Manjhi Son Of Late Ayodhi Manjhi, Resident Of Village - Katka, P.S. - Barhat, District - Jamui
 3. Manoj Manjhi Son Of Bhuneshwar Manjhi @ Muneshwar Manjhi, Resident Of Village - Katka, P.S. - Barhat, District - Jamui

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance:

For the Petitioners	:	Mr. Umesh Prasad, Advocate
For the State	:	Mr. Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-05-2024 Heard Mr. Umesh Prasad, the learned counsel for the petitioners and Mr. Arun Kumar Pandey, the learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Barhat PS Case No. 236 of 2023, FIR dated 23.12.2023, registered for the offences punishable under Sections 341, 323, 307, 504 and 506 read with Section 34 of the Indian Penal Code.

3. According to prosecution case, the petitioner Manoj Manjhi in a drunken state was abusing the informant and when her husband objected to this, the petitioner along with other co-accused persons assaulted the informant's husband. It is further alleged that petitioner no. 1 namely, Ramdev Manjhi inflicted



tangi blow on the head of informant's husband causing head injury.

4. Learned counsel for the petitioners submits that petitioners have falsely been implicated in the present case. He further submits that there is specific allegation against petitioner no. 1 that he has assaulted to the husband of the informant and although the informant's husband has received the injury, but the injury report of the informant's husband suggests that injury is simple in nature.

5. The learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioners and submits that petitioner nos. 1 and 2 have clean antecedent, but petitioner no. 3 carries two criminal antecedents other than the present one, however, he fairly admits that petitioner no. 3 is on bail in the pending matters.

6. Considering the aforesaid facts and circumstances and the fact that petitioner nos. 1 and 2 have clean antecedents and injury inflicted upon the informant's husband is found to be simple in nature, let the petitioners, above-named, in the event of their arrest or surrender before the trial Court, within a period of four weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Jamui,



where the case is pending in connection with **Barhat PS Case No. 236 of 2023**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also the following conditions:

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

(ii). If the petitioners 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 trial Court shall verify the criminal antecedent of the petitioners and in case, at any stage, it is found that the petitioners have concealed their criminal antecedent, the trial Court shall take step for cancellation of bail bond of the petitioners. 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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