

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24686 of 2024

Arising Out of PS. Case No.-429 Year-2023 Thana- SONO District- Jamui

Heman Manjhi Son of Chhatar Manjhi @ Chhater Manjhi Resident of
Village- Bojhayat, P.S.- Charkapathar, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 24731 of 2024

Arising Out of PS. Case No.-429 Year-2023 Thana- SONO District- Jamui

1. TARAN MANJHI @ TADAN MANJHI SON OF DELU MANJHI
RESIDENT OF VILLAGE - BOJHAYAT, P.S. - SONO (CHARPOKHAR),
DISTRICT - JAMUI
2. SHIVAN MANJHI SON OF SARYUG MANJHI RESIDENT OF
VILLAGE - BOJHAYAT, P.S. - SONO (CHARPOKHAR), DISTRICT -
JAMUI
3. DHIRAJ MANJHI SON OF SHIVAN MANJHI RESIDENT OF VILLAGE
- BOJHAYAT, P.S. - SONO (CHARPOKHAR), DISTRICT - JAMUI
4. RAJ KUMAR MANJHI @ NAGA MANJHI SON OF SHIVAN MANJHI
RESIDENT OF VILLAGE - BOJHAYAT, P.S. - SONO (CHARPOKHAR),
DISTRICT - JAMUI
5. GOBARDHAN TURI SON OF SHANKAR TURI RESIDENT OF
VILLAGE - BOJHAYAT, P.S. - SONO (CHARPOKHAR), DISTRICT -
JAMUI
6. TRIBHUWAN MANJHI SON OF SARYUG MANJHI RESIDENT OF
VILLAGE - BOJHAYAT, P.S. - SONO (CHARPOKHAR), DISTRICT -
JAMUI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 24686 of 2024)

For the Petitioner/s : Mr.Satya Prakash Parasar, Advocate

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

(In CRIMINAL MISCELLANEOUS No. 24731 of 2024)

For the Petitioner/s : Mr.Satya Prakash Parasar, Advocate

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



CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 01-05-2024 Heard the parties.

2. The petitioners are apprehending arrest in connection with Sono (Charkapathar) P.S. Case No. 429/2023 instituted under Sections 341, 323, 307, 354(B), 379, 504, 506/34 of the Indian Penal Code lodged on 28.11.2023 by the informant, Laxman Manjhi.

3. As per the prosecution story, as the informant wanted a Panchayati relating to the issue of daughter, infuriated, came to his shop and after abuse, allegation is of brutally assaulting the family members. The specific allegation is against Tribhuwan Manjhi and Shivan Manjhi (petitioner nos. 2 and 6 respectively) in Cr. Misc. No. 24731 of 2024 that they assaulted the informant's side. There is omnibus allegation against the other accused persons. The allegation is also against one Gopal Turi who according to the learned counsel for the petitioners is not before this Court. The further allegation is of snatching the amount from the drawer of the table present in the shop. Accordingly, the FIR.

4. Learned counsel for the petitioners submit that there is case and counter case, both sides have sustained injuries and the same have been found to be simple in nature



which has already annexed with the present petition. However, he concedes that there is specific allegation against Tribhuwan Manjhi and Shivan Manjhi, as incorporated above, they do not have criminal antecedent and the last submission is that irrespective of the outcome of the present case and/or accepting the allegation, the petitioners intend to contribute Rs. 2000/- each through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of the concerned Court to be handed over to the informant after checking the credential.

5. Learned APP opposes the prayer and points out that though there is case and counter case, there has been injury on number of family members of the informant's side, specific allegation against Tribhuwan Manjhi and Shivan Manjhi and as such they do not deserve anticipatory bail.

6. Taking into account submission as also the fact that so far as the two petitioners (Shivan Manjhi and Tribhuwan Manjhi) in Cr. Misc. No. 24731 of 2024, being petitioner nos. 2 and 6 respectively are concerned, considering the specific allegation that has come against them, this Court is not inclined to extend the privilege of anticipatory bail which is/are rejected.

7. So far as the sole petitioner, Heman Manjhi (in Cr.



Misc. No. 24686 of 2024) as also the petitioner no.1, Taran Manjhi @ Tadan Manjhi, the petitioner no.3, Dhiraj Manjhi, the petitioner no.4, Raj Kumar Manjhi @ Naga Manjhi and the petitioner no.5, Gobardhan Turi (in Cr. Misc. No. 24731 of 2024) are concerned, there is omnibus allegation against them, this Court is inclined to extend them privilege of anticipatory bail subject to payment of Rs.2000/- each as undertaken by the learned counsel for the petitioners to be paid by Demand Draft of local SBI to be submitted to the trial Court and handed over to the informant after checking credentials.

7. Let the sole petitioner, Heman Manjhi (in Cr. Misc. No. 24686 of 2024), petitioner no.1, Taran Manjhi @ Tadan Manjhi, the petitioner no.3, Dhiraj Manjhi, the petitioner no.4, Raj Kumar Manjhi @ Naga Manjhi and the petitioner no.5, Gobardhan Turi be released on bail, in the event of their arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each in connection with Sono (Charkapathar) P.S. Case No. 429/2023 the satisfaction of learned Chief Judicial Magistrate, Jamui subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.



(i) one of the bailor should be the family member of the petitioner, Heman Manjhi, petitioner no.1, Taran Manjhi @ Tadan Manjhi, the petitioner no.3, Dhiraj Manjhi, the petitioner no.4, Raj Kumar Manjhi @ Naga Manjhi and the petitioner no.5, Gobardhan Turi who shall provide official document to show his/her bona fide;

(ii) the petitioner, Heman Manjhi, petitioner no.1, Taran Manjhi @ Tadan Manjhi, the petitioner no.3, Dhiraj Manjhi, the petitioner no.4, Raj Kumar Manjhi @ Naga Manjhi and the petitioner no.5, Gobardhan Turi shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioner, Heman Manjhi, petitioner no.1, Taran Manjhi @ Tadan Manjhi, the petitioner no.3, Dhiraj Manjhi, the petitioner no.4, Raj Kumar Manjhi @ Naga Manjhi and the petitioner no.5, Gobardhan Turi shall co-operate in the investigation and make themselves available to the police as and when required;

(iv) the petitioner, Heman Manjhi, petitioner no.1, Taran Manjhi @ Tadan Manjhi, the petitioner no.3, Dhiraj Manjhi, the petitioner no.4, Raj Kumar Manjhi @ Naga Manjhi



and the petitioner no.5, Gobardhan Turi shall appear before the concerned police station every fortnight for next six months to mark their attendance;

(v) the petitioner, Heman Manjhi , petitioner no.1, Taran Manjhi @ Tadan Manjhi, the petitioner no.3, Dhiraj Manjhi, the petitioner no.4, Raj Kumar Manjhi @ Naga Manjhi and the petitioner no.5, Gobardhan Turi shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(vi) the petitioner, Heman Manjhi, petitioner no.1, Taran Manjhi @ Tadan Manjhi, the petitioner no.3, Dhiraj Manjhi, the petitioner no.4, Raj Kumar Manjhi @ Naga Manjhi and the petitioner no.5, Gobardhan Turi shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

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