

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32637 of 2024

Arising Out of PS. Case No.-584 Year-2023 Thana- BODHGAYA District- Gaya

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1. Kameshwar Paswan Son of Naresh Paswan Resident of Village- Narihapur, Tola- Durgapur, P.S.- Bodh-Gaya, Dist.- Gaya (Bihar)
 2. Arjun Paswan son of Brahmdeo Paswan Resident of Village- Narihapur, Tola- Durgapur, P.S.- Bodh-Gaya, Dist.- Gaya (Bihar)
 3. Rajesh Manjhi Son of Bangar Manjhi @ Ram Brichh Manjhi Resident of Village- Narihapur, Tola- Durgapur, P.S.- Bodh-Gaya, Dist.- Gaya (Bihar)
 4. Mando Manjhi @ Nandlal Manjhi Son of Barho Manjhi Resident of Village- Narihapur, Tola- Durgapur, P.S.- Bodh-Gaya, Dist.- Gaya (Bihar)
 5. Deonandan Manjhi Son of Khiru Manjhi @ Kishun Manjhi Resident of Village- Narihapur, Tola- Durgapur, P.S.- Bodh-Gaya, Dist.- Gaya (Bihar)

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha, Advocate
For the Opposite Party/s : Mr.Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 26-04-2024 Heard learned counsel for the petitioners and learned

Additional Public Prosecutor for the State.

2. The accused/petitioners are named in the FIR and apprehending their arrest in connection with Bodh Gaya P.S. Case No.584 of 2023 registered under Sections 147, 149, 448, 504, 427, 323, 379, 307 of the Indian Penal Code and Sections 3, 4, and 5 of the Witchcraft Act.

3. Allegation against the petitioners is to assault the informant and her family members, causing bodily injuries, suspecting informant as a '*daain*' where it is further alleged that



during the occurrence, petitioners along with other co-accused persons snatched cash of Rs.10,000/- and mobile from the husband of informant and also damaged her house.

4. It is submitted by learned counsel that occurrence arises out of neighbourhood issue related with common pathway. It is further pointed out that allegation regarding assault is very much general and omnibus against the petitioners as it is alleged through FIR that 15 named persons collectively assaulted the informant and her family members i.e. husband and son. Learned counsel pointed out that petitioner has got one more criminal case, in which he is on bail.

5. Learned A.P.P. for the State opposes the prayer of anticipatory bail of the petitioners.

6. In view of aforesaid factual submission, as allegation of physical assault, *prima-facie*, appears very much general and omnibus, accordingly, the petitioners, above-named, are directed to be released on bail, in the event of their arrest or surrender in the court below within a period of four weeks, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya in connection with Bodh Gaya P.S. Case No.584 of 2023 subject to the conditions



as laid down under Section 438(2) of the CrPC.

(Chandra Shekhar Jha, J.)

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