

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39414 of 2024

Arising Out of PS. Case No.-491 Year-2023 Thana- BODHGAYA District- Gaya

1. Bashudev Manjhi Son Of Late Gokhul Manjhi Resident Of Village - Mastipur, P.S. - Bodhgaya, District - Gaya
2. Sumeet Kumar Son Of Kumar Manjhi Resident Of Village - Mastipur, P.S. - Bodhgaya, District - Gaya
3. Sukhdev Kumar @ Sukhdev Manjhi Son Of Anksna Manjhi Resident Of Village - Mastipur, P.S. - Bodhgaya, District - Gaya
4. Raju Manjhi Son Of Senu Manjhi Resident Of Village - Mastipur, P.S. - Bodhgaya, District - Gaya
5. Ravi Manjhi @ Ravi Kumar Son Of Raju Manjhi Resident Of Village - Mastipur, P.S. - Bodhgaya, District - Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Advocate
For the Opposite Party/s : Mr. Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 03-07-2024 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Bodhgaya P.S. Case No. 491 of 2023 dated 09.06.2023 instituted for the offence punishable under Section 341, 323, 354, 325, 308, 506/34 of the Indian Penal Code.

3. The prosecution case, in short, is that on 04.06.2023 at about 07.00 pm, the informant's sister and younger brother went to Devi Sthan. In the meantime, accused



persons started outraging the modesty of his sister and they also assaulted his younger brother and sister by fists, slaps and lathi-danda. It is also alleged that all the accused persons also assaulted the informant when he went to house of petitioner no. 1 to complain for the said occurrence.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that due to previous dispute, the prosecution party entered into the house of the informant and they abused and assaulted his family members due to which a case bearing Bodhgaya P.S. Case No. 490 of 2023 under Section 448, 341, 323, 308, 354, 504, 506, 506, 379/34 was registered and this case is counter blast case which has been lodged to save their skin from the aforesaid case. Learned counsel for the petitioners submits that there is general and omnibus allegation of assault against the petitioners. Allegation of assault and outraging the modesty of informant's sister is against the accused Dhiraj Kumar, Krish Kumar, Ramji Kumar and Raj Kumar, who are not the petitioners in this application. Allegation against the petitioners is that when the informant went to the house of Bashudev Manjhi, all the petitioners and other accused persons assaulted the informant. Learned counsel



for the petitioners further submits that injury sustained by injured persons is simple in nature except informant's sister, whose nature of injury is grievous. Lastly, it has been submitted that petitioners have no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for anticipatory bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners within a period of six weeks from today, in connection with Bodhgaya P.S. Case No. 491 of 2023, they will be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Gaya subject to condition as laid down under Section 438(2) of the Cr.P.C..

(Khatim Reza, J)

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