

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38306 of 2024

Arising Out of PS. Case No.-588 Year-2023 Thana- GAYA MUFASIL District- Gaya

Mahendra Manjhi @ Mahendra Kumar Son Of Ramlil Manjhi Resident Of
Village - Mobarakchak Dohari, P.S. - Muffasil, District - Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Arvind Kumar Singh, Advocate
For the State	:	Mr. Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 26-06-2024 Heard Mr. Arvind Kumar Singh, learned counsel
for the petitioner and Mr. Shailendra Kumar Singh, learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Gaya Muffasil P.S. Case No. 588 of 2023, F.I.R. dated 28.05.2023 for the offences punishable under Sections 341, 323, 307, 504 and 34 of the Indian Penal Code.

3. According to prosecution case, when the informant went to the house of Ramlil Manjhi for demanding her dues amount of Rs. 22,000/-, the petitioner along with other co-accused persons denied to returned the dues and also abused and assaulted her with iron rod, *lathi* and *danda*.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been



implicated in the present case. He further submits that from a bare perusal of the FIR it appears that the petitioner has assaulted with the iron rod to the informant due to which the informant received injury. He further submits that although the informant had received the injuries but the injury report of the informant suggests that the injuries received upon the informant are simple in nature.

5. Learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances and the fact that the petitioner has clean antecedent and injuries found upon the informant are simple in nature, let the petitioner, above named, in the event of 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 the learned Judicial Magistrate 1st Class, Gaya in connection with Gaya Muffasil P.S. Case No. 588 of 2023, 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers 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 criminal antecedent, 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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