

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39892 of 2024**

Arising Out of PS. Case No.-293 Year-2023 Thana- ATRI District- Gaya

1. Sakal Manjhi @ Saket Manjhi son of Late Sanichar Manjhi Village- Tetua Pahar Tar Ps- Atri Dist- Gaya
2. Vikram Manjhi son of Sakal Manjhi @ Saket Manjhi Village- Tetua Pahar Tar Ps- Atri Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar, Advocate
For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER**

3 18-09-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Atri P.S. Case No. 293 of 2023, instituted under Sections 341, 323, 307, 354, 379, 504 and 34 of the Indian Penal Code.

3. As per the prosecution case, on the dispute with respect to the death of dog, the informant went to talk about the same to the accused persons but they started abusing him and came running to him with deadly weapons and on seeing this the informant escaped and reached his house, thereafter all the accused persons entered into his house and caught him with intention to kill him. The allegation against the petitioner no. 1



is that he has assaulted the informant with iron rod and petitioner no. 2 has assaulted him with axe due to which he sustained three injuries on head and near his eyes.

4. Learned counsel for the petitioners submit that petitioners are innocent and have falsely been implicated in this case due to village politics. Both the parties are neighbours. The alleged occurrence taken place on 28.05.2023 while the F.I.R. has been lodged by the informant on 20.06.2023 without any plausible explanation which creates doubt in the prosecution case. The injury report does not support the allegation of iron rod blow and axe upon the informant. Injuries are lacerated wound. Petitioners have no criminal antecedent and they undertake to cooperate in the investigation.

5. Learned counsel for the informant and learned A.P.P. for the State opposed the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submission of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners 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 learned Court of Chief Judicial Magistrate, Gaya where the case is pending in



connection with Atri P.S. Case No. 293 of 2023, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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