

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40248 of 2024

Arising Out of PS. Case No.-8 Year-2024 Thana- MAHKAR District- Gaya

1. Ramanand Manjhi @ Ramnandan Manjhi Son of Bachchu Manjhi @ Buchcha Manjhi Resident of Village- Harsingra, P.S- Mahkar, Dist- Gaya, Bihar ,823311
2. Bigan Manjhi @ Bigan Kumar Son of Ramanand Manjhi @ Ramnandan Manjhi Resident of Village- Harsingra, P.S- Mahkar, Dist- Gaya, Bihar , 823311

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anmol Kumar
For the Opposite Party/s : Mr.Raj Kishor Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 21-09-2024 **1.** Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners seek bail in a case registered for the offences punishable under Sections 147, 149, 323, 325, 307, 504, 506 and 341 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and are in custody since 7-1-2024 and the informant alleges that on 1-1-2024 at 8 am, Sanju Devi informed that petitioners were assaulting her son, accordingly she along with her husband went to the place of occurrence, when petitioners assaulted her husband by an iron rod causing injury on head and fracture of hand, further



Nandu assaulted Pancham by *lathi* causing injury on head, thereafter Soharai and Nagina assaulted her and Dhananjay causing injury on head of Dhananjay, further Chandan, Raushan, Akhilesh and Umesh assaulted her and her husband, thereafter injured were taken to A.N.M.M.C.H. by the villagers.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is also submitted that from the side of the petitioners Mahkar PS. Case No. 5 of 2024 has been instituted against the side of the informant and others, it is next submitted that the present FIR is a counter-blast to Mahkar PS. Case No. 5 of 2024. It is next submitted that from perusal of the injury report, it would manifest that the injury suffered by Dhananjay and Pancham are simple in nature but then the injury suffered by Dharmendra is opined to be grievous. Learned counsel next submits that admittedly petitioners are not criminals and on account of dispute relating to land, an altercation had taken place in which both sides assaulted each other and from the side of the petitioners also, people have suffered injury. It is next submitted that charges have been framed.

5. Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioners and submits that though it



has been submitted that charges have been framed but then the same has not been pleaded in the bail application. It is also submitted that if charges have been framed and the petitioners are released on bail, they may abscond, on which the learned counsel appearing on behalf of the petitioners submits that petitioners will not abscond rather will cooperate in the trial to prove their innocence.

6. Considering the submission made by learned counsel for the petitioners, let the petitioners above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Mahkar P.S. Case No. 08 of 2024.

7. However, the learned trial court before accepting the bail bonds of the petitioners shall verify whether charges have been framed or not, and if it is found that charges till date have not been framed in that event the present bail order shall not be given effect to.

(Satyavrat Verma, J)

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