

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51766 of 2024

Arising Out of PS. Case No.-275 Year-2023 Thana- ISUAPUR District- Saran

Dhrup Manjhi @ Dhrub Manjhi Son of Late Ramji Manjhi Resident of Vill-
Manpursouli, P.S.- Isuapur, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabindra Tiwary, Adv.
For the Opposite Party/s : Mr. Umeshanand Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 21-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Isuapur P.S. Case No. 276 of 2023 registered for the alleged offences under Section 323, 324, 325, 307, 504, 506, 147 and 34 of the Indian Penal Code.

03. As per prosecution case, petitioner and other co-accused persons who were variously armed came to the doors of the informant and started abusing and assaulting the family members of the informant. In this assault a number of persons of the family of the informant received injuries.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The allegation against the petitioner and one Lalan Manjhi is that

of giving *garasi* blow on the head of the informant but no such injury has been observed on any part of the body of the informant and he was not treated and for this reason there is no injury report of the informant. For the same occurrence, one of the family members of the petitioner, Chandeshwar Manjhi, has lodged Isuapur P.S. Case No. 276 of 2023 against the informant and 35 members of his family. Only three persons are stated to have received injuries whose injuries are on record and they are Raju Manjhi, Champa Kumari and Lalsa Devi and all these injuries are found to be simple in nature. There is absence of injury as alleged against the petitioner. Learned counsel further submits that there is land dispute between the parties and there is general and omnibus allegation against the petitioner and other co-accused persons. Learned counsel further submits that the petitioner is having clean antecedent.

05. Learned A.P.P. for the State opposes the submission made on behalf of the learned counsel for the petitioner.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the absence of injury as alleged against the petitioner and further considering simple nature of injuries of the victims and also considering clean antecedent of the petitioner and possibility of false accusation, let the petitioner above named, in the event of his

arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of Court of learned Additional Sessions Judge-V, Saran at Chapra in connection with Isuapur P.S. Case No. 276 of 2023, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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