

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55198 of 2024

Arising Out of PS. Case No.-25 Year-2024 Thana- MAIN P.S. District- Gaya

1. Mohan Manjhi Son of Bakil Manjhi @ Okil Manjhi R/o Vill.- Chakauri Bigha, P.s.- Makhdumpur, Dist.- Jehanabad.
2. Mundrika Manjhi @ Murari Manjhi @ Mundarik Manjhi @ Munarik Manjhi Son of Mohan Manjhi R/o Vill.- Chakauri Bigha, P.s.- Makhdumpur, Dist.- Jehanabad.
3. Shukhlu Manjhi @ Rakesh Manjhi Son of Mohan Manjhi R/o Vill.- Chakauri Bigha, P.s.- Makhdumpur, Dist.- Jehanabad.
4. Faketi Manjhi @ Ritesh Kumar Son of Mohan Manjhi R/o Vill.- Chakauri Bigha, P.s.- Makhdumpur, Dist.- Jehanabad.
5. Ranjeet Manjhi @ Ramjeet Manjhi Son of Mundrika Manjhi @ Murari Manjhi R/o Vill.- Chakauri Bigha, P.s.- Makhdumpur, Dist.- Jehanabad.
6. Indrajeet Manjhi Son of Mundrika Manjhi @ Murari Manjhi R/o Vill.- Chakauri Bigha, P.s.- Makhdumpur, Dist.- Jehanabad.

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar, Adv.
For the Opposite Party/s : Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 28-08-2024 Heard Mr. Umesh Kumar, learned Counsel for the

petitioner and Mr. Jitendra Kumar Singh, learned APP for the

State.

2. The petitioner apprehends his arrest in connection
with Main P.S. Case No. 25 of 2024 for the offence registered
under sections 341, 447, 380, 506/34 of the I.P.C. lodged on
25.03.2024 by the informant Krishna Nandan.

3. As per the prosecution story, the informant alleged



that on the scream of his mother, he rushed to the place where she informed that all the accused persons came and took away 10 *quintals* of paddy crops (in 25 sacks). Upon objection, they threatened of dire consequences as also implication under Schedule Caste/Schedule Tribe Act. Accordingly, the FIR.

4. Learned Counsel for the petitioner submits that it is unbelievable that 10 *quintals* of paddy crops was/were taken, the mother screamed but the informant failed to see/locate. He submits that on 20.02.2024, the informant preferred Title Suit No. 54 of 2024 against Mundrika Manjhi (petitioner no. 2) and immediately thereafter, to implicate on criminal side, this FIR was lodged on 25.03.2024.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that the mother of the informant screamed whereafter it came to light that these petitioners have taken away 10 *quintals* of paddy crops.

6. Considering the allegation that has come including the averments that has been made by the learned counsel for the petitioner that a Title suit was preferred on 20.02.2024 by this informant who is one of the plaintiff and immediately after that the FIR was lodged, 10 *quintals* of paddy crops were taken



away but only on the basis of scream, he has lodged the FIR and has not further stated whether he has seen or have taken steps and rushed towards an area where the accused person proceeded and in that background, this Court is inclined to grant him the anticipatory bail with conditions.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Miss Aprita, Judicial Magistrate, 1st Class, Gaya in connection with Main P.s. Case No. 25 of 2024 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives/colleague/ of the petitioner, who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark



attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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