

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58711 of 2024

Arising Out of PS. Case No.-137 Year-2024 Thana- NAUTAN District- Siwan

1. Jitendra Manjhi Son of Kewal Manjhi Resident of Village - Rahimpur, P.S. - Nautan, District - Siwan
2. Arun Manjhi Son of Sohan Manjhi Resident of Village - Rahimpur, P.S. - Nautan, District - Siwan
3. Kewal Manjhi Son of Late Ram Autar Manjhi Resident of Village - Rahimpur, P.S. - Nautan, District - Siwan
4. Tileshwar Manjhi Son of Late Ram Autar Manjhi Resident of Village - Rahimpur, P.S. - Nautan, District - Siwan
5. Mohan Manjhi Son of Late Ram Autar Manjhi Resident of Village - Rahimpur, P.S. - Nautan, District - Siwan
6. Sohan Manhhi Son of Late Ram Autar Manjhi Resident of Village - Rahimpur, P.S. - Nautan, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Adv.
For the Opposite Party/s : Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 11-09-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with
Nautan P. S. Case No. 137 of 2024 dated 23-06-2024 instituted
for the offence punishable under Sections 341,323, 324, 307,
379, 504 and 34 of the Indian Penal Code.

3. The prosecution case in short is that on 23.06.2024
at about 9:00 A.M, the petitioners having armed with various



weapons came at the informant's purchased land and after forming an unlawful assembly started ploughing the informant's land. On protest made by the informant and her family members, it is alleged that petitioner No.2, namely, Arjun Manjhi assaulted the informant's sister, namely, Neha Kumari with *Farsa* on her head, causing head injury and blood started oozing out, as a result of which, she became unconscious and fell on the ground. It is further alleged that petitioner No.1, namely, Jitendra Manjhi assaulted the informant's niece, namely, Puja Kumari by means of iron rod on her head causing head injury and blood started oozing out and she became unconscious. It is further alleged that petitioners, namely, Mohan Manjhi, Sohan Manjhi, Tileshwar Manjhi and Kewal Manjhi assaulted Rukmani Kumari, Sandhya Kumari and Mukurdhan Sah by means of *lathi* and *danda* and they snatched gold chain worth Rs. 30,000/- from the neck of Rukmani Kumari.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is submitted that there is specific allegation against petitioner No.1 of assaulting the informant's niece, namely, Puja Kumari on her head by means of iron rod, but the injury report



of the said injured shows that nature of injury is simple caused by hard and blunt substance. So far allegation against petitioner No.2 is concerned, there is specific allegation against him of assaulting the informant's sister, namely Neha Kumari on her head by means of *Farsa*, but the injury report of said Neha Kumari does not corroborate the allegation. The doctor opined that the nature of injury is simple, caused by hard and blunt substance. So far allegation against petitioner Nos. 3 to 6 are concerned, there is general and omnibus allegation attributed against them and all the injuries sustained by the injured are simple in nature. It is submitted that there is case and counter case between the parties. The instant case is counter blast of Nautan PS Case No. 138 of 2024 registered under Sections 341, 323, 379, 504, 506 and 34 of the IPC and Sections 3(i)(r)(s) of the SC/ST Act lodged by the petitioners' side against the informant. Lastly, it has been submitted that petitioners have no criminal antecedents.

5. Learned APP has opposed the prayer for anticipatory bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within



six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Siwan, in Nautan P. S. Case No. 137 of 2024, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Khatim Reza, J)

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