

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67967 of 2024

Arising Out of PS. Case No.-229 Year-2022 Thana- NIMCHAKBATHANI District- Gaya

1. Tulsi Manjhi S/o- Late Jagdish Manjhi Resident of village- Nateshwar PS- Neem Chak Bathani, Dist- Gaya
2. Nitish Manjhi Son of Preman Manjhi Resident of village- Nateshwar PS- Neem Chak Bathani, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nand Kishore Prasad Sinha, Advocate

For the Opposite Party/s : Mr.Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 13-09-2024

1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of anticipatory bail apprehending their arrest in connection with Neem Chak Bathani P.S. Case no. 229 of 2022 registered under sections 307, 379, 147, 148, 323, 341, 448, 504, 506 and 354B of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, the informant states that sixteen named accused persons including the two petitioners herein entered the house of the informant variously armed and started to assault the informant and her family members.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the case. Even accepting the allegations in the F.I.R for the sake of argument, it would transpire that the allegations of assault are against Parman Manjhi, Baleshwar Paswan, Rajiv Manjhi, Shidheswar



Pandit, Arjun Manjhi, Surendra Yadav and Ranjit Shaw. There is no allegation of assault against these two petitioners. The only allegation against petitioner no. 2 is of having taken away a *tawiz* worth Rs. 170. There is case and counter case between the parties and the petitioners have no criminal antecedent. Some of the accused have been enlarged on regular bail.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation against these two petitioners in the F.I.R., there being no allegation of assault as against them together with the petitioners not having any criminal antecedent, it is directed that the petitioners above named, in the event of their arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Neem Chak Bathani P.S. Case no. 229 of 2022 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-III, Gaya.

(Partha Sarthy, J)

Harsh/-

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