

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80934 of 2024

Arising Out of PS. Case No.-300 Year-2024 Thana- PAKARIBARAW District- Nawada

Ashok Manjhi Son of Brahmdeo Manjhi village- Gangti, Ps- Pakribarawan,
Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 25-11-2024 Heard Mr. Amresh Kumar Sinha, learned counsel for
the petitioner and Mr. Ram Sumiran Rai, learned APP.

2. The petitioner is in custody in connection with Pakribarawan P.S. Case No. 300 of 2024 for the offence punishable under sections 126, 115(2), 109, 352, 3(5) of B.N.S. of the Indian Penal Code lodged on 19.07.2024 by the informant, Surendra Manjhi.

3. As per the prosecution story, the informant alleged that while he was sitting along with his father near a temple, the accused persons armed variously came and started throwing bricks. Upon opposition, allegation against this petitioner is of going to his home and bringing the handle of the pump and assaulting Rameshwer Manjhi on the head causing injury. Allegation against Mahesh Manjhi is of assaulting his sister,



Kusum Devi, Vikram Manjhi assaulted his brother by lathi while Suraj Manjhi assaulted by bricks causing injury to his father. As the people assembled, they escaped whereafter, the injured were taken to Sadar Hospital, Nawada for treatment and then to Pawapuri Hospital. This led to the FIR.

4. Though learned counsel for the petitioner tried to impress upon this Court regarding exaggerated FIR as they are neighbors, learned APP, Mr. Ram Sumiran Rai submits that a perusal of the FIR would show that allegation against this petitioner is of using handle of the water pump to assault on the head of Rameshwer Manjhi and the injury report shows that it is grievous in nature.

5. Considering the allegation that has come against the petitioner of having assaulted on the head which has been found to be grievous, for the present, this Court is not inclined to extend him the privilege of bail, which is accordingly, rejected.

(Rajiv Roy, J)

Vijay Singh/-

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