

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82426 of 2024

Arising Out of PS. Case No.-300 Year-2024 Thana- GAUTAMBUDHNAGAR District-
Siwan

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1. Garju Manjhi Son of Bhagrashan Manjhi Resident of village- Narhat, PS- G.B. Nagar, Dist.- Siwan
 2. Kalawati Devi Wife of Garju Manjhi Resident of village- Narhat, PS- G.B. Nagar, Dist.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Y.C. Verma, Sr. Advocate
	:	Mr. Kumari Anupam, Advocate
For the State	:	Mr. Uma Shankar Prasad Singh, APP
For the Informant	:	Mr. Majid Mahbood Khan, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-12-2024 Heard learned senior counsel for the petitioners, learned counsel for the informant and learned Additional Public Prosecutor for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable u/s 341, 323, 325, 379, 307, 447, 504, 506/34 of the IPC and later on added 302 of IPC.

3. Allegation against the petitioners along with other co-accused persons have assaulted the informant and his family members. It is further alleged that petitioner no. 2 snatched gold earring from informant's mother and one other co-accused person snatched gold chain from informant's neck.



4. It is submitted by learned senior counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to village politics. No such occurrence, in the manner as alleged, has ever taken place. It is submitted that parties are co-villagers and as per FIR, there is admitted land dispute between them. Petitioners have no criminal antecedent as mentioned in para 3 of the bail application.

5. Learned APP for the State and learned counsel for the informant opposed the prayer for bail by submitting that petitioner no. 1 has one criminal antecedent, which is not stated by learned senior counsel and there is specific overt act attributed against the petitioners to assault the injured person and injury was found to be grievous in nature.

6. Having regard to the facts and circumstances of the case, and considering that petitioner no. 2 is a female and aged about 53 years, let the petitioner no. 2 be released on bail, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection



with G.B. Nagar P.S. Case No.300 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. However, considering the fact that there is specific allegation against the petitioner no. 1 to assault the injured and injury was found grievous in nature, I am not inclined to enlarge the petitioner nos.1 on anticipatory bail. The prayer for grant of bail on his behalf is hereby rejected.

8. This application is accordingly partly allowed.

(Anjani Kumar Sharan, J)

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