

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86208 of 2023

Arising Out of PS. Case No.-216 Year-2022 Thana- UDAKISHUNGANJ District-
Madhepura

-
1. Tilo Manjhi S/O Chamru Mahto @ Chamru Manjhi
 2. Sanjay Manjhi S/O Tilo Manjhi
 3. Rubi Devi W/O Tilo Manjhi
 4. Gangiya Devi W/O Chamru Manjhi.
All R/O Village- Madhuwan Tintanga, P.S- Udakishunganj, Distt.-
Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Chand Prasad, Advocate
For the Opposite Party/s : Mr.Ramchandra Sahni,APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 19-03-2024 Heard Mr.Uday Chand Prasad, learned counsel for

the petitioners and Mr.Ramchandra Sahni, learned Additional

Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in
connection with Udakishunganj P.S.Case No.216 of 2022, FIR
dated 09.07.2022 registered for the offences punishable under
Sections 341,323,354A,307,504,506,34 of the Indian Penal
Code.

3. As per written-report of informant Rubi Devi
allegation is that on 26.06 2022 at about 03.30 hours in
daytime, the accused persons including the petitioners armed



with bow and arrow, Lathi, rod entered into the house of informant and started assaulting. It is said that the female accused caught hold the hair of informant and her Bhabhi Tantan Devi and pulled both of them to the ground and assaulted causing naked. When the informant's husband Rajesh Dhami and Raj Kumar Dhami came to save them, the accused persons brutally assaulted both of them causing injury. It is said that Tilo Manjhi and Sanjay Manjhi shot arrow, which hit into the stomach of Rajesh Dhami and into the shoulder of Raj Kumar Dhami causing injury. Land dispute is alleged between the parties as reason for the occurrence.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioners have not committed any offence as alleged in the FIR, although there is allegation against the petitioners that they have assaulted to the informant and his family members and in the present occurrence two persons have received injury, namely, Rajesh Kumar Dhami and Raj Kumar Dhami but from a bare perusal of the injury report of the aforesaid injured persons it appears that the injury report of both the persons suggests that the injury is simple in



nature caused by sharp weapon.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts, petitioners have clean antecedent and injury report of the injured persons suggests that the injury is simple in nature, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Udakishunganj, Madhepura in connection with Udakishunganj P.S. Case No.216 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(I) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(II) If the petitioners tamper with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Nitesh/-

U		T	
---	--	---	--

