

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9101 of 2024

Arising Out of PS. Case No.-428 Year-2023 Thana- MAKHDUMPUR District- Jehanabad

Mithlesh Manjhi Son of Chander Deo Manjhi Resident of Village - Paleya
Bigha, P.S. - Makhdumpur, District - Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Upendra Kumar, Advocate

For the Opposite Party/s : Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

- 2 22-02-2024 1. Heard learned counsel appearing on behalf of the petitioner and learned Additional Public Prosecutor appearing on behalf of the State.
2. The accused/petitioner is not named in the F.I.R. and apprehending his arrest in connection with Makhdumpur P.S. Case No. 428 of 2023 registered for the offences punishable under Sections 143, 341, 323, 337, 353, 332, 333, 186, 504 and 307 of the Indian Penal Code.
3. The allegation against the petitioner is to deter the police officials to discharge their official duty and also made an attempt to rescue co-accused Raj Kumari Devi, from the custody of police, while she was apprehended with 10 litres of illicit countrymade liquor and also pelted stones upon police officials causing them injury during the occurrence.



4. Learned counsel appearing on behalf of the petitioner submitted that allegation against petitioner is very much general and omnibus and his name appears in the present case on the basis of disclosure made by co-accused/villagers, where no illicit liquor appears to be recovered from the possession of this petitioner. It is submitted that allegation of stone pelting is also not specific. While concluding the argument it is submitted that one similarly situated co-accused namely Anil Manjhi, has already granted anticipatory bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 76478 of 2023 vide order dated 05.12.2023.

5. Learned APP appearing on behalf of the State, opposes the prayer for bail.

6. In view of the facts and circumstances as mentioned above and by taking note of the fact as allegation is appearing very much general and omnibus against petitioner, where save and except suspicion arising out of disclosure made by co-villagers nothing appears incriminating, accordingly the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of



the like amount each to the satisfaction of the learned Additional
Chief Judicial Magistrate-IV, Jehanabad/concerned Court below
where the case is pending in connection with Makhdumpur P.S.
Case No. 428 of 2023 subject to the conditions as laid down
under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

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