

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5088 of 2025

Arising Out of PS. Case No.-882 Year-2023 Thana- BARACHATTI District- Gaya

1. Raju Manjhi @ Raju Bhuiyan S/O Hari Manjhi
 2. Kanchan Devi W/O Raju Manjhi @ Raju Bhuiyan.
Both R/O Village- Sudia Gorail, P.S Mohanpur, Distt.- Gaya.
- Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar, Advocate
For the Opposite Party/s : Mr.Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 19-02-2025 Heard Mr.Vijay Kumar, learned counsel for the

petitioners and Mr.Umanath Mishra, learned Additional Public

Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Barachatti (Mohanpur) P.S.Case No.882 of 2023, FIR dated 20.09.2023 registered for the offences punishable under Sections 341,323,307,504,506/34 of the Indian Penal Code.

3. As per FIR, allegation against the petitioners is that they alongwith other armed with lathi and Pasuli brutally assaulted the informant and her husband due to which both of them have sustained multiple injuries over the different parts of body and further they have also threatened to face dire consequences.



4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. Although the petitioners are named in the FIR but from a bare perusal of the FIR it appears that there is no specific allegation of any assault or overt-act attributed against the petitioners and the present case is counter blast of Barachatti (Mohanpur) P.S.Case No.881 of 2023 filed by one Kiran Devi against the informant and her family members.

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 there is case and counter case and there is no specific allegation of any assault or overt-act attributed against the petitioners, 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.-II, Sherghati, Gaya in connection with Barachatti (Mohanpur) P.S.Case No.882 of



2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of BNSS, 2023 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)

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