

Arising Out of PS. Case No.-842 Year-2021 Thana- TURKAULIYA District- East Champaran

... .. Petitioner/s

Versus

... .. Opposite Party/s

For the Petitioner/s : Mr. Sunil Kumar No.III, Advocate
For the State : Mr. Ram Sevak Choudhary, APP

3. As per the prosecution story, the informant alleged that while he was talking with Rakesh Manjhi in front of Shiv Manjhi's house, the accused persons came and allegation is that Sikandar Manjhi and Upendra Manjhi gave bamboo blow on the head causing injuries, further allegation of taking away the



amount is there. This led to the F.I.R..

4. Learned counsel for the petitioner submits that minor scuffle took place which has been exaggerated, there is no injury report to show that whether it was simple or grievous and finally the parties have come to terms by submitting an agreement document before the concerned court to close the case.

5. Learned APP opposes the prayer submitting that the bamboo blow was on the head which is a vital part.

6. Considering the submissions of the parties as also the fact that the injury report is not on record, the petitioner has no criminal antecedent, they are now trying to solve the problem and for this, a joint petition has been preferred before the concerned court, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, First Class, Motihari, East Champaran, in connection with Turkauliya (Raghunathpur O.P.) P.S. Case No. 842 of 2021 subject to the



following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document (Aadhar Card/Voter Id/Driving License/Pan Card) to show his/her bona fide;

(ii) the petitioner shall be appearing before the Police Station as and when required for cooperating in the investigation;

(iii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

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