

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39309 of 2018

Arising Out of PS. Case No.-37 Year-2018 Thana- RAGHUNATHPUR District- Siwan

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1. Bina Devi @ Mina Devi, W/o Sudama Manjhi,
 2. Samita Kumari D/o Sudama Manjhi,
 3. Shikha Kumari D/o Sudama Manjhi,
 4. Rahul Manji @ Rahul Kumar Manjhi S/o Sudama Manjhi,
 5. Sudama Manjhi S/o Late Rajbali Manjhi, All R/o Vill.- Adampur, P.S.- Raghunathpur, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satyendra Rai

For the Opposite Party/s : Mr. Arun Kumar Singh -5

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 06-07-2018 Heard learned counsels for the parties.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341,323,354,379 and 504/34 of the IPC.

The prosecution case as per the written report of Lakshman Manjhi submitted to the SHO, Raghunathpur Police Station is to the effect that on 9.3.2018 at 5.00 P.M., the informant's agnate Sudama Manjhi (petitioner no. 5) came and started abusing the informant. When the daughter of the informant made protest, all the accused persons assaulted the informant's daughter and his family members. It is further alleged that the petitioner took out Rs.1000/- and a mobile phone from the informant's pocket.

It is submitted by learned counsel for the petitioners that the petitioners are agnates of the informant and in the background of land dispute, the accusation has been levelled. The accusation of snatching mobile and Rupees One Thousand from the pocket of



the informant appears to be cosmetic in nature though the mobile and cash was recovered near the place of occurrence and there is no medical report on record, as gets reflected from the impugned order.

Learned APP submits that the petitioners are named in the FIR with specific accusation.

Considering the fact that the FIR was registered on 9.3.2018 but it reached to the Court of the learned ACJM on 14.3.2018, which suggests the antedating of the FIR, coupled with the accusation levelled in the background of land dispute, more over, the accusation is not being corroborated by the medical opinion, let the petitioners above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-VIII, Siwan, in connection with Raghunathpur P.S. Case No.37 of 2018 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

anil/-

(Dinesh Kumar Singh, J)

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