

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10423 of 2019

Arising Out of PS. Case No.-140 Year-2018 Thana- KEWATI District- Darbhanga

1. Mithilesh Manjhi, aged about 26 years (Male), son of Ramkrit Manjhi, resident of Village Andama, P.S. Keoti, District Darbhanga
2. Vishnu Manjhi @ Vishnudeo Manjhi, aged about 30 years (Male), son of Ramkrit Manjhi, resident of Village Andama, P.S. Keoti, District Darbhanga
... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Sunil Kumar Karn, Advocate
For the Opposite Party : Mr.Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 26-04-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 147, 148, 149, 341, 323, 324, 307, 427, 379, 504 and 506 of the Indian Penal Code registered in connection with Keoti P.S. Case No. 140 of 2018.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of land dispute and there is case and counter case between the parties in which both sides have sustained injuries. Statement is made at the Bar that the injuries sustained by the injured are simple in nature. The petitioners claim clean antecedents.

4. A perusal of the case diary sent to this Court containing the injury report discloses that the final injury report is awaited.

5. Be that as it may, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on provisional anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of like amount



each to the satisfaction of learned Additional Chief Judicial Magistrate, Darbhanga in connection with Keoti P.S. Case No. 140 of 2018, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and with further conditions --

(i) That one of the bailors of each of the petitioners shall be their close relatives.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(iv) That the petitioners shall cooperate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

5. The provisional bail granted to the petitioners shall be confirmed upon verification by the learned court below that none of the injuries sustained by the informant's side is grievous in nature, failing which their bail bonds shall stand automatically cancelled.

BT/-

(Vikash Jain, J)

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