

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79499 of 2018

Arising Out of PS. Case No.-100 Year-2018 Thana- MANIGACHI District- Darbhanga

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1. Jeewachh Lal and Anr S/o Mahavir Lal Deo
 2. Jivendra Lal Deo @ Jivendra @ Ghuran Lal Deo @ Ghuran S/o Mahavir Lal Deo Both R/vill-Jatuka,Navtolia,P.S-Manigachhi Bajitpur O.P.,Distt.-DarbhangaBihar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Murlidhar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 05-02-2019 Heard the parties.

The petitioners seek anticipatory bail in connection with Manigachhi (Bajitpur O.P.) P.S.Case No. 100 of 2018, registered for offences punishable under Sections 341, 323, 324, 307, 337, 379, 427 and 504/34 of the Indian Penal Code.

Allegation as per F.I.R. against the petitioner No.1 is of assault the informant with farsa on the head of the father of the informant and against the petitioner No. 2 is of assault the informant by iron rod on the head of the informant.

Submission of the learned counsel for the petitioners is that there is land dispute between the parties and both allegation of assault as mentioned in para-25 shows, that the injuries made by the petitioner No. 1 is simple in nature and the



injury on the person of one Suraj Lal Deo is found to be grievous in nature made by the petitioner No. 2 and the petitioners have no criminal antecedents.

Having heard both sides and in view of the facts and circumstances, as discussed above, let the petitioner No.1, above named, in the event of his arrest or surrender, be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty five thousand) with two sureties of the like amount each in connection with Manigachhi P.S.Case No. 100 of 2018, to the satisfaction of learned A.C.J.M.-V, Darbhanga , subject to the conditions as laid down under Section 438 (2) of Cr.P.C. with condition that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.

So far the case of the petitioner No. 2 is concerned, I am not inclined to grant bail to the petitioner, Accordingly, prayer of anticipatory bail is rejected with a direction to the petitioner that if the petitioner surrender before the court below within a period of four weeks from the date of order and make prayer for regular bail, which will be considered by the learned court below on its own merit without being prejudiced by this order of this Court.



This application is accordingly disposed of.

(Vinod Kumar Sinha, J)

sudha/-

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