

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48376 of 2019

Arising Out of PS. Case No.-77 Year-2019 Thana- PHULWARIYA District- Gopalganj

1. Sushila Devi @ Shoshila Devi, Wife of Sajpati Manjhi Resident of Village - Selarkala, P.S.- Phulwaria, District - Gopalganj.
2. Sarita Devi, Wife of Prem Manjhi Resident of Village - Selarkala, P.S.- Phulwaria, District - Gopalganj.
3. Fhul Kumari Devi @ Fhul Kumari, Wife of Late Sipahi Manjhi Resident of Village - Selarkala, P.S.- Phulwaria, District - Gopalganj.
4. Tufani Manjhi, Son of Pardeshi Manjhi Resident of Village - Selarkala, P.S.- Phulwaria, District - Gopalganj.
5. Prem Manjhi, Son of Narad Manjhi Resident of Village - Selarkala, P.S.- Phulwaria, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh
For the Opposite Party/s : Mr.Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 05-08-2019 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

Petitioners apprehend their arrest in connection with Phulwaria P.S. Case No.77 of 2019 for the offence punishable under Sections 447, 323, 436, 325, 427/34 of the Indian Penal Code.

The allegation against the petitioners as per the FIR is that the petitioners along with other accused persons assaulted the informant by means of lathi, danda and put on fire the palani



of the informant. It has further been alleged that accused persons also uprooted the banana tree and have demolished the palani by setting fire.

Learned counsel appearing for the petitioners submits that petitioners are innocent and they have falsely been implicated in the present case due to land dispute and previous enmity. Accordingly, he submits that title suit, being Title Suit No.453 of 2019 is going on between the informant and the side of the petitioner which is pending in the Court of Munsif, Gopalganj.

After having heard learned counsel for the petitioners as well as learned counsel appearing on behalf of the State and taking into consideration the fact that there is previous land dispute between the parties and both the parties belong to the same communities, as such, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, all the petitioners, above named, are directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by them, they shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction



of learned Additional Chief Judicial Magistrate-XII,Gopalganj,
subject to the condition as mentioned under Section 438 (2) of
Cr.P.C.

(Anil Kumar Sinha, J)

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