

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1325 of 2020

Arising Out of PS. Case No.-312 Year-2019 Thana- PATAHI District- East Champaran

1. SABITA DEVI W/o Umesh Manjhi Resident of Village- Dhangad Toli, P.S.- Patahi, Distt- East Champarn
2. Umesh Manjhi Son of Kapil Manjhi Resident of Village- Dhangad Toli, P.S.- Patahi, Distt- East Champarn
3. Sunil Manjhi S/o Kapil Manjhi Resident of Village- Dhangad Toli, P.S.- Patahi, Distt- East Champarn
4. Anil Manjhi @ Anand Manjhi S/o Kapil Manjhi Resident of Village- Dhangad Toli, P.S.- Patahi, Distt- East Champarn

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 18-06-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders” under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 147, 148, 149, 341, 323, 324, 326, 325, 307, 353, 332, 333, 379, 120B of the Indian Penal Code.

Prosecution case in short is that the informant (officer-in-



charge of Patahi police station) along with police personnel reached at the place of occurrence for raid against liquor. In this episode, from many houses, spirit meant for preparing liquor was destroyed. In the episode, one Sushila Devi was arrested. Further allegedly, when the enquiry was made by the police in a house of the village, the people of the village became violent and assaulted the police party, as a result of which, the officer-in-charge of the police station concerned became injured.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. General and omnibus allegation has been made against the petitioners. No specific overt act is alleged against the petitioners.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case and also the lockdown, the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on their personal bond to the satisfaction of learned Additional Chief Judicial Magistrate-VIII, Motihari,



East Champaran in connection with Patahi P.S. Case No. 312 of 2019 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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