

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40789 of 2020

Arising Out of PS. Case No.-179 Year-2020 Thana- DARBHANGA SADAR District-
Darbhanga

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1. SUNIL DAS Son of Shyam Das Resident of Village- Shisho, P.S.- Sadar (Mubby O.P.), Distt- Darbhanga.
 2. RANJAY MANJHI @ RANJAN Son of Sanjay Manjhi Resident of Village- Shisho, P.S.- Sadar (Mubby O.P.), Distt- Darbhanga.
 3. RAM UDGAR MANJHI @ CHHOTU MANJHI Son of Narayan Manjhi Resident of Village- Shisho, P.S.- Sadar (Mubby O.P.), Distt- Darbhanga.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra, Adv.
For the Opposite Party/s : Ms. Madhuri Lata, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 13-12-2021 Learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioners as well as the learned APP for the State.

The petitioners apprehend their arrest in connection with Sadar (Mubby O.P.) P.S. Case No. 179 of 2020 registered for the offences punishable under Sections 147, 341, 323, 307, 384, 179 and 504 of the Indian Penal Code.

As per allegation, the informant was coming on his motorcycle, meanwhile all the six FIR named accused persons



surrounded his motorcycle and accused Sunil Das (petitioner No. 1) asked him to pay rangdari of Rs. 50,000/- and Sunil Das also inflicted *farsa* blow on the informant. The other accused persons also assaulted him by *lathi* etc. and Sunil Das snatched Rs. 11,000/- from his pocket.

Learned counsel for the petitioners, at the outset, has submitted that petitioner No. 1 Sunil Das has been arrested during pendency of this bail petition.

As such, the petition in respect of petitioner No. 1, Sunil Das, is dismissed as withdrawn.

Learned counsel for the petitioners has further submitted that the allegation against petitioner Nos. 2 and 3 are general and omnibus in nature. The main allegation of assaulting the informant and snatching money from his possession is on Sunil Das and not against these petitioners. He has also submitted that the FIR has been lodged after four days of the alleged occurrence and the petitioners have not any criminal antecedent.

On the other hand, learned APP for the State has opposed the prayer for bail of the petitioners.

Considering the above-mentioned fact that the main allegation is against co-accused Sunil Das and Gopal Das and



not against petitioners, let the petitioner Nos. 2 and 3 be released on bail in the event of their arrest or surrender within four weeks before the learned court below on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga in connection with Sadar (Mubby O.P.) P.S. Case No. 179 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.,

Office shall ensure that all defects are removed by the petitioners within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey , J)

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