

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28818 of 2021

Arising Out of PS. Case No.-459 Year-2020 Thana- MANER District- Patna

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1. REENA DEVI Wife of Sri Ravindra Ram Resident of Village - Chotki Kathautiya, P.S.- Maner, District - Patna
 2. Anita Devi Wife of Sri Anjay Ram Resident of Village - Chotki Kathautiya, P.S.- Maner, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-02-2022 This matter has been taken up for hearing online because of COVID-19 pandemic restrictions.

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

Learned counsel for the petitioners is expected to honour his undertaking to remove the defects as pointed out by the office when called upon to do so by the office.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Maner P.S. Case no. 459 of 2020 instituted for the offence under Sections 147, 148, 149, 341, 323, 379, 307, 504 and 506/34 of the Indian Penal Code.



As per allegation in the FIR, over a dispute relating to removal of shade of 4 feet in common passage, a panchayati was held and petitioners were ordered to remove the said shade within a period of ten days but the same could not be done. On 23.8.2020 when the informant asked the petitioners as to why, they are not removing the shed, then the petitioners assembled there armed with lathi danda, iron rod and swords and assaulted the informant and his family members.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have got no criminal antecedent. Both parties are agnates and both have received injuries. Occurrence took place due to land dispute. Similarly situated accused persons have already been granted anticipatory bail by this Court vide order dated 12.1.2022 passed in Cr. Misc. No. 18839.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest



or surrender in connection with Maner P.S. Case no. 459 of 2020, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Danapur at Patna subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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