

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40649 of 2021

Arising Out of PS. Case No.-85 Year-2021 Thana- MANJHAGARH District- Gopalganj

1. SURAJ MANJHI Son of Late Bhagan Manjhi Resident of Village - Kranpura, P.S. Manjhagarh, District - Gopalganj.
2. Sanjai Manjhi @ Sanjay Manjhi Son of not known Resident of Village - Kranpura, P.S. Manjhagarh, District - Gopalganj.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Irshad Ahmad Khan
For the Opposite Party/s : Mr.Lalan Kumar

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

ORAL ORDER

3 29-06-2022 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 learned APP for the State.

At the outset, learned counsel for the petitioners has submitted that the petitioner No. 1, Suraj Manjhi, has died during the pendency of this anticipatory bail petition, as such, the anticipatory bail petition of petitioner No. 1 has become infructuous. He therefore, seeks permission to withdraw the bail petition of petitioner No.1.

In view of the aforesaid submission, the anticipatory bail petition of petitioner No. 1 is dismissed as withdrawn as having become infructuous.

The petitioner No. 2 apprehends his arrest in connection



with Manjagarh P.S. Case No. 85 of 2021, registered for the offences punishable under Sections 420, 406, 467, 468, 471, 386/34 of the Indian Penal Code.

As per allegation, the complainant Sharda Devi, after her marriage, was residing in her parental house and she inherited the properties left behind by her father. The petitioners are agnates of her father. As per allegation, when the complainant had provided the plants of maize to some other persons, the petitioners created hindrance and they apprised the complainant and the persons carrying the maize plant that the father of the complainant had executed a sale deed in their favor. Thereafter, the complainant went to registry office in Chapra, but after search, that sale deed was not executed as per report of the registry office Saran at Chapra.

Learned counsel for the petitioner has submitted that it is a civil dispute. The property is situated in the District Gopalganj and not in Chapra at Saran and instead of searching the documents in the registry office, Gopalganj she was searching it in Chapra. He has submitted further that the petitioner is the person of clean antecedents.

Considering the above-mentioned facts and circumstances, let the petitioner No. 2, in the event of his arrest or surrender within four weeks before the learned court below, be



released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Manjhagarh P.S. Case No. 85 of 2021 (Complaint Case No. 2355 of 2018, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Office shall ensure that all defects are removed by the petitioner 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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