

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.839 of 2022

Arising Out of PS. Case No.-81 Year-2021 Thana- RIVILGANJ District- Saran

1. SANTOSH KUMAR @ SANTOSH KUMAR MANJHI @ SANTOSH MANJHI Son of Ramesh Manjhi Resident of Village - Ajmerganj, P.s.- Rivilganj, Distt.- Saran.
2. Bhola Manjhi Son of Late Vishwanath Manjhi Resident of Village - Ajmerganj, P.s.- Rivilganj, Distt.- Saran.
3. Manti Devi W/o Bhola Manjhi Resident of Village - Ajmerganj, P.s.- Rivilganj, Distt.- Saran.
4. Suga Devi @ Sugi Devi W/o late Ranjit Manjhi Resident of Village - Ajmerganj, P.s.- Rivilganj, Distt.- Saran.
5. Reena Devi @ Tina Devi W/o Ramesh Manjhi Resident of Village - Ajmerganj, P.s.- Rivilganj, Distt.- Saran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh, Adv.
For the Opposite Party/s : Mr.Surendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 27-07-2022 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioners undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 323, 324, 307, 379, 504/34 of the Indian Penal Code.



Allegedly, the FIR named accused persons including the petitioners have indiscriminately assaulted the informant's side by means of lathi, danda etc. on account of a land dispute.

The allegation against the petitioners is that they along with other accused persons have indiscriminately assaulted the informant's side.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. It is further submitted that for the alleged occurrence, there is a case and counter-case between the parties. In the alleged occurrence both sides have sustained injuries. It has come in the impugned order that the injuries found on the person of the informant are not grievous in nature. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, since the injuries are simple in nature and there is case and counter-case between the parties, let the above named



petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Rivilganj P.S. Case No.81 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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