

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6507 of 2023

Arising Out of PS. Case No.-354 Year-2022 Thana- MANER District- Patna

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1. BABLU KUMAR @ AJAY KUMAR SON OF RABINDRA THAKUR R/O VILLAGE- BHAWANI TOLA, P.S.- MANER, DISTRICT- PATNA
 2. SANJAY THAKUR @ SANJAY KUMAR SON OF RABINDRA THAKUR R/O VILLAGE- BHAWANI TOLA, P.S.- MANER, DISTRICT- PATNA
 3. CHHOTAN THAKUR @ RAJENDRA THAKUR SON OF LATE BAJRANGI THAKUR R/O VILLAGE- BHAWANI TOLA, P.S.- MANER, DISTRICT- PATNA
- Petitioner/s

Versus

THE STATE OF BIHAR Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoranjan Kumar, Adv
For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-05-2023 Heard Mr. Manoranjan Kumar, learned counsel for the petitioners and Mr. Satyendra Narayan Singh, learned Additional Public Prosecutor for the State.

2. Learned counsel for the petitioners, at the very outset, submits that petitioner no.2, Sanjay Thakur @ Sanjay Kumar has been arrested and hence his application for anticipatory bail has become infructuous. As such, bail application of petitioner no.2 stands dismissed as infructuous.

3. Accordingly, prayer for anticipatory bail of petitioners no.1 and 3 subsists.

4. Petitioners No.1 and 3 apprehend their arrest in connection with Maner PS Case No. 354/2022 dated 18.05.2022 registered for the offence punishable under Sections 341, 323,



307, 379, 448, 504, 506, 354/34 of the IPC.

5. As per First Information Report, the accused persons altogether seven in numbers levelled allegation against the daughter of the informant that she has stolen the mobile phone, entered into the house of informant with Lathi, Danda, rod etc. Allegation against petitioner no.1 is that he abused the informant and assaulted him, petitioner no.2 caught hold of the collar of the informant.

6. Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case due to land dispute inasmuch as the informant wanted to install a kiosk on the land of the petitioners and upon objection being made, the present FIR has been lodged. Referring to Annexure-2, learned counsel submits that an FIR has also been lodged by petitioner no.3 against the informant and others alleging therein that they are forcibly trying to construct/install a Gumti/kiosk on the land of petitioner no. 3 and others.

7. Regards being had to the submissions made by the parties, taking into consideration the nature of allegation and the fact that there is case and counter case between the parties, I am inclined to grant anticipatory bail to the petitioners no.1 and 3.

8. Accordingly, let the petitioners No.1, BABLU



KUMAR @ AJAY KUMAR and petitioner no.3, CHHOTAN THAKUR @ RAJENDRA THAKUR, in the event of arrest or surrender within four weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Miss Priya Kumari, Judicial Magistrate- 1st Class, Danapur, (Patna)/the court concerned in connection with Maner PS Case No. 354/2022, subject to the condition as laid down under Section 438(2) CrPC.

(Anil Kumar Sinha, J)

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