

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33714 of 2023

Arising Out of PS. Case No.-610 Year-2022 Thana- MINAPUR District- Muzaffarpur

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MANISH KUMAR SON OF RAM NARAYAN SAH R/O BASUDEV
CHAPRA, P.S.- MINAPUR, DISTRICT- MUZAFFARPUR, BIHAR

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Prakash Chandra
For the Opposite Party/s :	Mr. Umanath Mishra
	Ms. Rathore Vasundhra
	Mr. Ujjawal Kumar
	Mr. Sandeep Kumar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 21-08-2023 Heard the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 307, 379 and other allied Sections of the Indian Penal Code.

3. As per the F.I.R., the petitioner and other co-accused persons assaulted the informant and his sons. It is alleged that the accused persons demanded extortion money from the informant and attempted to burn him and his sons alive. It is also alleged that the petitioner took Rs.35,000/- from the vehicle of the informant and co-accused Chutu Kumar set the vehicle on fire.

4. It is submitted by learned counsel for the petitioner that



petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is an admitted land dispute between the parties. It is submitted that earlier the petitioner had purchased a piece of land, thereafter, the informant claimed his possession over the said land and house. He submits that in the FIR, there is specific allegation against the co-accused Abhishek Kumar, to assault the injured person and due to which the injured person sustained grievous injury but in the re-statement, it is stated that all the accused persons assaulted the injured person. Petitioner has one criminal antecedent.

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

6. Having regard to the facts and circumstances of the case as there is no specific overt act against the petitioner, let the above named petitioner as there is general and omnibus allegation against the petitioner, be released on bail, in the event of his 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) 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 Minapur P.S. Case No.610 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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