

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33391 of 2023

Arising Out of PS. Case No.-19 Year-2023 Thana- MANIHARI District- Katihar

1. Subol Chandra Singh S/O- Prithvi Singh Village- Kumaripur Nishad Tola Ps- Manihari Dist- Katihar
2. Mithilesh Singh, S/O- Prithvi Singh Village- Kumaripur Nishad Tola Ps- Manihari Dist- Katihar
3. Sanjeev Kumar Singh son of Subol Chandra Singh Village- Kumaripur Nishad Tola Ps- Manihari Dist- Katihar
4. Niraj Kumar Singh @ Niraj Kumar son of Mithilesh Singh Village- Kumaripur Nishad Tola Ps- Manihari Dist- Katihar
5. Ravikant Singh @ Ravi Kumar Singh son of Parmakant Singh Village- Kumaripur Nishad Tola Ps- Manihari Dist- Katihar
6. Jitan Kumar Singh @ Jitendra Kumar Singh son of Dinesh Singh Village- Kumaripur Nishad Tola Ps- Manihari Dist- Katihar

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate
For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 21-07-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners in the present case are seeking pre-arrest bail in connection with Manihari P.S. Case No. 19 of 2023 registered for the offences punishable under Sections 341, 323, 324, 448, 354(A), 427, 379, 504, 506/34 of the Indian Penal Code. They have got no criminal antecedent.

3. As per the prosecution story, on 24.01.2023 at about 10:00 A.M., all the accused persons variously armed was



breaking the wall of the informant's house and when she objected to this, all the accused persons assaulted her and her family members by means of sword, fist and slaps. It is alleged that Sanjeev Kumar (petitioner no. 3) snatched away Rs.50,000/- from the pocket of the son of the informant.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case over a land dispute. It is submitted that the injuries are simple in nature.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Having regard to the facts and circumstances of the case, the submission that both the parties are close-door neighbours and they are fighting over a land dispute, the alleged occurrence is said to have taken place on 24.01.2023 at about 10:00 A.M. but the police was informed about this occurrence only on 26.01.2023 at 03:30 P.M., the injuries caused to the informant's side are simple in nature and these petitioners have otherwise no criminal antecedent, this Court directs that in case of their arrest or surrender within a period of four weeks from today, the petitioners above named be released on bail in connection with Manihari P.S. Case No. 19 of 2023 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 learned C.J.M., Katihar, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. And further condition that while on bail, the petitioners shall not indulge in similar occurrence with the informant and her family and in case of repetition of such occurrence by the petitioners, the informant shall bring it to the notice of the learned court below for cancellation of bail bond of the petitioners.

9. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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