

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47582 of 2023

Arising Out of PS. Case No.-78 Year-2022 Thana- MEHANDIA District- Jehanabad

1. Fulwanti Devi @ Phoolwanti Devi @ Phoolmanti Devi, W/o Manoj Thakur
Resident of Village- Bodh Bigha, P.S.- Mehandia, District- Arwal
2. Manoj Thakur, Son of Saryug Thakur, Resident of Village- Bodh Bigha,
P.S.- Mehandia, District- Arwal
3. Raja Thakur @ Raja Kumar, Son of Manoj Thakur, Resident of Village-
Bodh Bigha, P.S.- Mehandia, District- Arwal
4. Ranjan Thakur @ Ranjan Kumar, Son of Manoj Thakur, Resident of Village-
Bodh Bigha, P.S.- Mehandia, District- Arwal
5. Rani Kumari, D/o Manoj Thakur, Resident of Village- Bodh Bigha, P.S.-
Mehandia, District- Arwal

... .. Petitioners

Versus

1. The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Vipin Kumar Singh, Advocate
		Mr. Janmijay Giridhar, Advocate
For the Opposite Party/s	:	Mr. Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 11-08-2023 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 Mehandia P.S. Case No. 78 of 2022 registered for the offences punishable under Sections 341, 323, 308, 354, 504, 506/34 of the Indian Penal Code. Petitioners have got no criminal antecedent.

3. As per the prosecution story, on 26.04.2022 at about 07:00 A.M. when the informant was engaged in construction of his new house after demolishing the old one,



some altercation occurred with the accused persons on account of partition dispute due to which the FIR named accused persons assaulted him with lathi, danda and bricks as a result thereof blood started oozing out. Further, when the informant's wife and children came to rescue him, the accused persons also assaulted them and abused them.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. It is submitted that there are general and omnibus allegations against the petitioners. It is further submitted that there is a case and counter case between the parties over the said land dispute.

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

6. Having regard to the submissions that there is a case and counter case between the parties with respect to the alleged occurrence which took place on 26.04.2022, the parties are fighting over a land dispute and the allegations are general and omnibus, 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 Mehandia P.S. Case No. 78 of 2022 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., Arwal, 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. This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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