

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16613 of 2024

Arising Out of PS. Case No.-514 Year-2016 Thana- MANER District- Patna

1. Umesh Singh S/O Late Rajendra Singh All R/O Vill-Baluan, Ps-Maner, Dist-Patna.
2. Asha Devi W/O Umesh Singh All R/O Vill-Baluan, Ps-Maner, Dist-Patna.
3. Kundan Kumar S/O Umesh Singh All R/O Vill-Baluan, Ps-Maner, Dist-Patna.
4. Dhiraj Kumar S/O Umesh Singh All R/O Vill-Baluan, Ps-Maner, Dist-Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 14-03-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

02. In the present case, the petitioners are apprehending their arrest in connection with Maner P.S. Case No. 514 of 2016 registered for the alleged offence under Sections 341, 323, 307, 504, 506/34 of the Indian Penal Code.

03. As per prosecution case, petitioners assaulted the informant, his wife and his daughter with *lathi*, *danda* and *khanti*, causing a number of injuries to them.

04. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The petitioner no. 1 is younger brother of the informant and



there is land dispute between them. The informant has been refusing partition of ancestral property and in order to grab whole of the property, this false case has been lodged against the petitioners. The allegation of causing injuries are general and omnibus against all petitioners and there is no specific allegation against anyone of them. From the facts of the case, it is apparent that no offence under Section 307 of IPC is made out as there was no intention to cause death. Learned counsel further submits that as per his instruction, the injuries of the victims are simple, though it is on head and parietal region. The petitioners are having clean antecedent.

05. Learned A.P.P. for the State opposes the prayer for anticipatory bail. Learned APP submits that injuries have been caused on vital parts of the body and the same were life threatening.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the relationship of the parties and background of land dispute and further considering the possibility of false accusation, let the petitioners above named, in the even of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two



sureties of the like amount each to the satisfaction of learned Judicial Magistrate- 1st Class, Danapur, Patna/concerned court in connection with Maner P.S. Case No. 514 of 2016, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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