

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26040 of 2024

Arising Out of PS. Case No.-549 Year-2023 Thana- MANER District- Patna

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1. Dharmendra Kumar S/o Bimal Rai R/o village-Sahalichak, PS-Maner District-Patna
 2. Dheeraj Kumar S/o Bimal Rai R/o village-Sahalichak, PS-Maner District-Patna
 3. Shiojanki Devi W/o Dharmendra Kumar R/o village-Sahalichak, PS-Maner District-Patna
 4. Fulwaso Devi W/o Late Jamuna Prasad R/o village-Sahalichak, PS-Maner District-Patna
 5. Ram Vishun Rai S/o Late Laman Rai R/o village-Sahalichak, PS-Maner District-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bajarangi Lal, Advocate
For the Informant	:	Mr. Vivekanand Pathak, Advocate
		Mr. Nawnit Kumar Tiwari, Advocate
For the State	:	Mr. Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-05-2024 Heard Mr. Bajarangi Lal, learned counsel for the petitioners, Mr. Vivekanand Pathak, learned counsel for the informant and Mr. Anant Kumar 1, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Maner P.S. Case No. 549 of 2023, F.I.R. dated 28.07.2023 for the offences punishable under Sections 341, 323, 307, 324, 188, 504, 506 and 34 of the Indian Penal Code.

3. According to prosecution case, the petitioners are



said to have assaulted the informant and his family members.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that as per allegations in the FIR the petitioners have assaulted to the family members of the informant. He further submits that the petitioners are owners of the land in question and family members of the petitioners purchased the land in question in the year 2023 by a registered sale deed from Mrs. Fulbaso Devi and the informant was vendor of the aforesaid land in question, and due to this reason, the present occurrence has taken place. He further submits that there is case and counter case between the parties.

5. Learned Additional Public Prosecutor for the State as well as learned counsel for the informant have vehemently opposed the prayer for bail of the petitioners and submits that there is allegation against these petitioners that they have assaulted to the family members of the informant.

6. Considering the aforesaid facts that the petitioners have clean antecedent and there is case and counter case between the parties and petitioners are only the owners of the land in question, let the petitioners, above named, in the event of



their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Patna in connection with Maner P.S. Case No. 549 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. 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 bonds 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.

(Rajesh Kumar Verma, J)

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