

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32465 of 2024

Arising Out of PS. Case No.-538 Year-2023 Thana- BIKRAMGANJ District- Rohtas

1. Manish Kumar Son of Sri Rama Nand Ram, Resident of Village- Dhawan, Police Station- Bikramganj, Dist.-Rohtas at Sasaram
2. Mantu Paswan @ Mintu Paswan son of Sukeshwar Paswan, Resident of Village- Dhawan, Police Station- Bikramganj, Dist.-Rohtas at Sasaram
3. Ramanand Ram Son of Late Baswan Ram, Resident of Village- Dhawan, Police Station- Bikramganj, Dist.-Rohtas at Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh, Advocate
For the Opposite Party/s : Mr. Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 22-05-2024 Learned counsel for the petitioners seeks permission to withdraw this anticipatory bail application with regard to petitioner no.1, namely, Manish Kumar.

2. Permission is accorded.

3. This anticipatory bail application with regard to petitioner no.1 (Manish Kumar) is, accordingly, dismissed as withdrawn.

4. Heard learned counsel for petitioner nos.2 and 3 and learned A.P.P. for the State.

5. Petitioner nos.2 and 3 apprehend their arrest in connection with Bikramganj P.S. Case No.538 of 2023 instituted



under Sections 448, 323, 307, 427, 379, 354B, 506 and 34 of the I.P.C.

6. As per prosecution case, it is alleged that the petitioners came together and entered the house of the informant and started damaging the house hold articles. Manish Kumar (petitioner no.1) is alleged to have assaulted with butt of the pistol on the informant, her son and her husband and petitioner no.3 snatched a *mangalsutra* from the neck of the informant.

7. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. Both parties are agnates and reside adjacent to each other. The alleged occurrence took place due to scuffle between the children of both sides. Both parties have sustained injuries. The specific allegation of assault with the butt of pistol on the informant, her son and her husband is against co-accused Manish Kumar (petitioner no.1). The allegation of snatching a *mangalsutra* from the neck of the informant and abusing her by petitioner no.3 is ornamental in nature. The petitioners have no criminal antecedent and they undertake to cooperate in the investigation.

8. Learned A.P.P. for the State opposes the prayer for anticipatory bail.



9. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, petitioner nos.2 and 3 named above 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 learned Additional Chief Judicial Magistrate I, Bikramganj, Rohtas in connection with Bikramganj P.S. Case No.538 of 2023, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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