

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33251 of 2024

Arising Out of PS. Case No.-86 Year-2023 Thana- BHANGHA District- West Champaran

1. Lal Bihari Paswan @ Bihari Hazara Son Of Late Mahadev Hazara @ Bihari Paswan Resident Of Village - Shahpur, Parsuni, P.S.- Bhangha, Distt- West Champaran.
2. Bhuti Mahto Son Of Timal Mahto Resident Of Village - Shahpur, Parsuni, P.S.- Bhangha, District- West Champaran.
3. Janak Sah Son Of Ganga Bishun Sah @ Ganga Prasad Resident Of Village - Shahpur, Parsuni, P.S.- Bhangha, District- West Champaran.
4. Sant Paswan Son Of Mathura Paswan Resident Of Village - Shahpur, Parsuni, P.S.- Bhangha, District- West Champaran.
5. Sugrim Patel @ Sugrim Raut @ Sugriv Patel Son Of Ramyash Raut @ Ramjas Patel Resident Of Village - Shahpur, Parsuni, P.S.- Bhangha, District- West Champaran.
6. Prahlad Manjhi Son Of Jamuna Manjhi @ Yamuna Manjhi Resident Of Village - Shahpur, Parsuni, P.S.- Bhangha, District- West Champaran.
7. Lakshman Manjhi Son Of Chhathu Manjhi Resident Of Village - Shahpur, Parsuni, P.S.- Bhangha, District- West Champaran.
8. Lahvar Ram Son Of Rajman Ram Resident Of Village - Shahpur, Parsuni, P.S.- Bhangha, District- West Champaran.
9. Bharat Ram Son Of Bhagan Ram @ Jhagan Ram Resident Of Village - Shahpur, Parsuni, P.S.- Bhangha, District- West Champaran.
10. Hari Ram Son Of Shivratan Ram Resident Of Village - Shahpur, Parsuni, P.S.- Bhangha, District- West Champaran.
11. Rajindra Das @ Rajendra Das Son Of Gaya Das @ Daya Das Resident Of Village - Shahpur, Parsuni, P.S.- Bhangha, District- West Champaran.
12. Ramchandra Mahto Son Of Chokat Mahto Resident Of Village - Jhumka, P.S.- Inarwa, District- West Champaran.
13. Golin Manjhi @ Gulli Manji Son Of Jagarnath Manjhi Resident Of Village - Jhumka, P.S.- Inarwa, District- West Champaran.
14. Gajar Manjhi Son Of Vyash Manjhi Resident Of Village - Jhumka, P.S.- Inarwa, District- West Champaran.
15. Dhruv Ram @ Dhruh Ram @ Dhrup Ram Son Of Sitaram Ram @ Bagan Manjhi Resident Of Village - Jhumka, P.S.- Inarwa, District- West Champaran.
16. Munni Lal @ Munni Manjhi @ Munni Lal Manjhi Son Of Jagarnath Manjhi Resident Of Village - Jhumka, P.S.- Inarwa, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s



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Appearance :

For the Petitioner/s : Mr. Shashank Chandra, Advocate
Mr. Nitish Kumar, Advocate
For the State : Mr. Shailendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 23-05-2024 Heard Ld. counsel for the petitioners and
Ld. APP for the State.

2. The petitioners apprehend their arrest in connection with Bhangaha P.S. Case No. 86 of 2023 dated 04.12.2023, registered for the offences punishable under Section 441, 447, 420, 120B, 486 and 506 of the Indian Penal Code.

3. As per the prosecution case, the allegation against the petitioners and other accused persons is of grabbing the land of the informant forcefully and trying to construct a hut over the same. Further allegation is that on protest, all the accused persons including the petitioners threatened the informant to kill or kidnap as also they demanded Rs.50,000/- as *rangdari*.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. He further submits that there is no detail of the land which the accused persons are trying to grab. He further submits that the allegation is general and omnibus in nature. No date, place and time of the alleged occurrence has been given in the written report.



5. It has also been stated in paragraph no.3 of the bail petition that the petitioners have no criminal antecedent, except petitioner no.5 has one criminal antecedent, in which he is on bail.

6. It is also stated in paragraph no. 2 of the petition that petitioners have never moved before this Hon'ble Court for grant of Anticipatory Bail or Regular Bail.

7. However, Ld. APP for the State vehemently opposes the prayer of the petitioners for anticipatory bail.

8. Considering the aforesaid facts and circumstances of the case, this application is allowed, directing the petitioners above named, to be enlarged on bail in the event of their arrest or surrender before Ld. trial court within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Ld. Judicial Magistrate-Ist Class, West Champaran at Bettiah, in connection with Bhangaha P.S. Case No. 86 of 2023, subject to the conditions as laid down under Section 438(2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of Ld. trial court that the petitioners have any criminal antecedent, Ld. trial court



shall cancel the bail bond of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of Ld. trial court that statement regarding previous bail petition is wrong, Ld. trial court shall cancel the bail bond of the petitioners.

(Jitendra Kumar, J.)

S.Ali/Shailendra

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