

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33364 of 2024

Arising Out of PS. Case No.-581 Year-2023 Thana- BHABHUA District- Kaimur (Bhabua)

1. Manoj Halwai @ Manoj Prasad son of Late Sri Prasad Halwai Resident of Ward No. 13, P.S.- Bhabua, Dist.- Kaimur
2. Amit Kumar Son of Manoj Halwai Resident of Ward No. 13, P.S.- Bhabua, Dist.- Kaimur
3. Sagar Kumar @ Shiv Sagar Kumar Son of Late Dinesh Halwai Resident of Ward No. 13, P.S.- Bhabua, Dist.- Kaimur
4. Prithvi Kumar @ Pirthvi Raj son of Late Dinesh Halwai Resident of Ward No. 13, P.S.- Bhabua, Dist.- Kaimur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sarfraz Ahmad

For the Opposite Party/s : Mr.Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-05-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offence under Sections 341, 323, 307/34 of the Indian Penal Code.

3. It is alleged that these petitioners in a planned manner attacked the husband and Dewar (brother-in-law) of informant and caused injuries to them.

4. It is submitted on behalf of petitioners that petitioners have been falsely implicated in this case. Admittedly,



there is land dispute between the parties, for which, a title suite, bearing T.S. No. 1221 of 2021, is already pending before the Civil Court. As a matter of fact, the present case is counter blast of Bhabua P.S. Case No. 580 of 2023, lodged by mother of petitioner nos. 3 & 4 against informant and her family members and in order to create defence, this false and concocted case has been lodged. He further submits that the allegation of assault is general and omnibus and no specific overt act has been alleged against petitioners. Doctor has found the injury to be simple in nature.

5. Learned A.P.P. for the State has opposed the bail petition.

6. Considering the backdrop of the case in which alleged occurrence took place and nature of injury, the prayer for anticipatory bail of petitioners is allowed.

7. Let the above named petitioners, in the event of their arrest/surrender before the court below within a period of six weeks from today, be enlarged 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 Chief Judicial Magistrate, Bhabua in connection with Bhabua P.S. Case No. 581 of 2023, subject to condition as laid down under Section



438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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