

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48866 of 2024

Arising Out of PS. Case No.-4 Year-2024 Thana- MANJHAGARH District- Gopalganj

1. Sonu Bin Son of Jitendra Bin @ Jitendra Prasad Resident of Village - Ghosi Tola, Paithan Patti, P.S.- Manjhagarh, District - Gopalganj.
2. Kalicharan Bin Son of Singhasan Bin Resident of Village - Ghosi Tola, Paithan Patti, P.S.- Manjhagarh, District - Gopalganj.
3. Rajendra Bin Son of Singhasan Bin Resident of Village - Ghosi Tola, Paithan Patti, P.S.- Manjhagarh, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Dharmveer Jha, Advocate
For the State	:	Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-09-2024 Heard learned counsels for the parties.

2. At the outset, learned counsel appearing on behalf of the petitioners seeks permission to withdraw the anticipatory bail application on behalf of Petitioner No. 1, namely Sonu Bin, as during pendency of this case, Petitioner No. 1 has already been arrested and the same has become infructuous.

3. Permission, as prayed for, is accorded.

4. Accordingly, the anticipatory bail application on behalf of Petitioner No. 1 is dismissed as withdrawn.

5. The Petitioner Nos. 2 and 3 apprehend their arrest in a case registered for the offence punishable under Sections



341, 323, 324, 354, 307, 504, 506 and 34 of the Indian Penal Code.

6. As per the prosecution case, on 04.01.2024 at about 8 AM, all the accused persons named in the F.I.R., including these petitioners, variously armed, were cutting sugarcane from the informant's field and when the informant and others objected, all the accused persons assaulted the informant and others.

7. It is submitted by learned counsel for the petitioners that the present case is counter blast of Manjhagarh P. S. Case No. 5 of 2024 which was filed by one co-accused, namely Jitendra Bind, against the informant and others and only to save their skin from the above mentioned case, this false and concocted case has been lodged. Moreover, doctor has found the injuries allegedly caused by these petitioners to be simple in nature. Similarly situated co-accused, namely Rudal Prasad @ Rudal Bin, has already been granted the privilege of anticipatory bail by this Hon'ble Court vide order dated 14.05.2024 passed in Cr. Misc. No. 28096 of 2024.

8. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners.



9. Considering the aforesaid facts and circumstances, nature of injuries sustained by the injured, case and counter-case between the parties and claim based on parity, the prayer for grant of anticipatory bail to the Petitioner Nos. 2 and 3 is allowed.

10. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named Petitioner Nos. 2 and 3 be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Gopalganj, in connection with Manjhagarh P.S. Case No. 4 of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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