

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51486 of 2024

Arising Out of PS. Case No.-38 Year-2024 Thana- MANSURCHAK District- Begusarai

1. Sujeet Kumar S/O Wakil Mahto R/O Village-Hawaspur,P.S.-Mansoorchak, Distt-Begusarai
2. Ajeet Kumar Begusarai S/O Wakil Mahto R/O Village-Hawaspur,P.S.-Mansoorchak, Distt-Begusarai
3. Sandeep Kumar S/O Wakil Mahto R/O Village-Hawaspur,P.S.-Mansoorchak, Distt-Begusarai
4. Wakil Mahto @ Wakil Mahto S/O Ramdeo Mahto R/O Village-Hawaspur,P.S.-Mansoorchak, Distt-Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sabal Kumar Jha, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 28-08-2024 Learned counsel for the petitioners submits that petitioner no. 3, namely Sandeep Kumar has been arrested during pendency of the present petition and he seeks permission to withdraw the present petitioner against petitioner no. 3.

02. Permission is accorded.

03. Accordingly, the present petition stands dismissed as withdrawn against petitioner no. 3, namely Sandeep Kumar.

04. Heard learned counsel for the petitioners and learned A.P.P. for the State.

05. In the present case, the petitioners are



apprehending their arrest in connection with Mansoorchak P.S. Case No. 38 of 2024, registered for the alleged offence under Sections 341, 323, 325, 307, 379, 504, 506/34 of the Indian Penal Code.

06. As per prosecution case, the petitioners and co-accused assaulted the informant with iron rod on his head, causing its fracture. The petitioners also tried to strangle the informant and they took away gold ornaments worth of Rs. 25,000/- from the informant.

07. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The FIR has been registered after three days of alleged occurrence and it creates doubt over the veracity of allegation. The petitioners and informant are residents of adjoining village and there is long standing land dispute between the parties. The informant was treated in hospital and his injury is found to be simple cause by hard and blunt substance. The petitioners are having clean antecedent.

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

09. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the



simple nature of injury and probability of false accusation and the background of land dispute, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Mansoorchak P.S. Case No. 38 of 2024, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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