

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50473 of 2024

Arising Out of PS. Case No.-6 Year-2024 Thana- MANJHAUL District- Begusarai

1. Nitish Kumar @ Nitish Tanti Son Of Late Ram Bilash Tanti R/o Village-Kamla ward no.14, P.S.- Manjhaul, Distt.- Begusarai
2. Dilkhush Kumar @ Dilkhus Tanti S/o Late Ram Bilash Tanti R/o Village-Kamla ward no.14, P.S.- Manjhaul, Distt.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Randhir Kumar No 1

For the Opposite Party/s : Mr. Binod Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-08-2024 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, 379, 504, 506/34 of the Indian Penal Code.

3. As per the prosecution case, petitioner no. 1 assaulted on the head of son of the informant with iron rod, due to which he fell down and became unconscious, whereas petitioner no. 2 is alleged to have dragged another son of informant by wrapping *Gamachha* in his neck.

4. Learned counsel for the petitioners submits that due to land dispute between the parties, a simple occurrence of *Maarpeet* took place. Both parties are *Gotiya*. Petitioners claim clean antecedent.



5. However, learned A.P.P. for the State vehemently opposes the prayer for bail and submits that the injury caused by petitioner no. 1 to son of informant has been found to be grievous in nature.

6. Considering the nature of injury, the prayer for anticipatory bail of petitioner no. 1 (Nitish Tanti) is rejected.

7. So far as prayer for anticipatory bail of petitioner no. 2 is concerned, since there is no allegation of overt act against him, in the event of arrest/surrender within a period of six weeks from today, he i.e. petitioner no. 2 namely Dilkhush Kumar @ Dilkhush Tanti is directed to be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate, Manjhaul, Begusarai in connection with Manjhaul P.S. Case No. 06 of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

8. This application is, accordingly, disposed of.

(Prabhat Kumar Singh, J)

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