

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65469 of 2024

Arising Out of PS. Case No.-135 Year-2024 Thana- MANSI District- Khagaria

1. Manik Singh @ Maniklal Singh Son of Navodi Singh R/O-Village-Bangaliya, Ward No. 05, P.S. -Mansi, Distt.- Khagaria
2. Kundan Singh @ Kundan Kumar Son of Tuno Singh R/O-Village-Bangaliya, Ward No. 05, P.S. -Mansi, Distt.- Khagaria
3. Binay Singh @ Binay Kumar Son of Sunil Singh R/O-Village- Bangaliya, Ward No. 05, P.S. -Mansi, Distt.- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Advocate
For the Opposite Party/s : Mr. Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 05-10-2024 Heard Mr. Ranjeet Kumar Singh, learned counsel
for the petitioners and Mr. Dinesh Singh, learned Additional
Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Mansi P.S. Case No. 135 of 2024, G.R. No. 1466/2024, F.I.R. dated 20.05.2024 for the offences punishable under Sections 427, 341, 323, 386, 379, 504, 506 and 34 of the Indian Penal Code.

3. According to prosecution case, accused the accused persons including the petitioners having formed an unlawful assembly forcibly entered in to the maize field of the



informant and cut down the crops with the help of labourers by showing him '*lathi*' and '*desi katta*' and took the cut crops as extortion. When the informant and his family members opposed, they assaulted them.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that due to admitted land dispute the present occurrence has taken place. He further submits that although the petitioners are named in the FIR but from a bare perusal of the FIR it appears that there is no specific allegation of any assault or overt act against the petitioners rather there is general and omnibus allegation against all the accused persons including the petitioners. He further submits that one Title Suit No. 31/2022 is pending before the parties for the same set of land.

5. Learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts, the petitioners having clean antecedent, there is no specific allegation of any assault or overt act against the petitioners and due to admitted land dispute the present occurrence has taken place, let the



petitioners, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released 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 the learned Chief Judicial Magistrate, Khagaria in connection with Mansi P.S. Case No. 135 of 2024, G.R. No. 1466/2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bonds of the petitioners. However, the



acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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