

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85009 of 2023

Arising Out of PS. Case No.-28 Year-2023 Thana- SINDHIYA District- Samastipur

1. Duraga Manjhi @ Durga Manjhi Son Of Ugeshwar Manjhi @ Yugeswar Manjhi R/O Village- Dorkahi, Ward No.13, P.S.- Singhia, District- Samastipur
2. Ram Pratap Yadav Son Of Maujelal Yadav R/O Village- Kankari, P.S.- Singhia, District- Samastipur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh
For the Opposite Party/s : Mr.Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-01-2024 Learned counsel for the petitioners submits that during pendency of this application the petitioner no. 1 has died, therefore, he does not want to press this application with regard to petitioner no. 1.

2. Accordingly, this application with regard to petitioner no. 1 is dismissed as not pressed.

3. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State for consideration of bail with regard to petitioner no. 2.

4. The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 341, 323, 307, 354, 379, 504, 34 of the Indian Penal Code.

5. Petitioner is said to have assaulted the informant as



a result of which she received injury.

6. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case due to land dispute. He submits that there is no specific overt act against the petitioner. He submits that there is general and omnibus allegation levelled against the petitioner. He submits that occurrence took place on 12.02.2023 but the FIR has been lodged on 15.02.2023 after delay of 3 days without explaining any reasonable cause of delay. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application.

7. Learned APP for the State opposes the prayer for bail.

8. Considering the facts and circumstances of the case and the fact that there is no specific overt act against the petitioner no. 2, let the above named petitioner no. 2 in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Singhia P.S. Case



No. 28 of 2023, subject to the condition as laid down under
Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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