

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71327 of 2025

Arising Out of PS. Case No.-50 Year-2025 Thana- MANIGACHI District- Darbhanga

1. Mangnu Das @ Ramsagar Das son of Hira Das @ Hiralal Das Resident of Village- Mahthaur, (Mahthor) PS- Manigachhi, District Darbhanga
2. Bhola Das @ Rajesh Kumar Son of Hira Das @ Hiralal Das Resident of Village- Mahthaur, (Mahthor) PS- Manigachhi, District Darbhanga
3. Satyanarayan Das @ Satya Narayan Das Son of Prabhu Das @ Kiray Das Resident of Village- Mahthaur, (Mahthor) PS- Manigachhi, District Darbhanga
4. Ram Bhrosh Das @ Ram Bharosh Das @ Rambharosh Das Son of Fekan Das @ Phekan Das Resident of Village- Mahthaur, (Mahthor) PS- Manigachhi, District Darbhanga
5. Golu Das @ Golu Kumar @ Golu Kumar Das Son of Ram Bhrosh Das @ Ram Bharosh Das @ Rambharosh Das Resident of Village- Mahthaur, (Mahthor) PS- Manigachhi, District Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate
For the Opposite Party/s : Mr. Anish Chandra, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 08-10-2025 Heard the learned counsel for the petitioners, learned counsel for the informant and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Manigachhi P.S. Case No. 50 of 2025 for the offences punishable under Sections 329(4), 126(2), 115(2), 118(2), 109(1), 352 and 3(5) of the BNS.

3. Learned counsel for the petitioners submits that the allegation against petitioner no. 1 is specific; however, with



regard to the alleged assault by a deadly weapon like *farsa*, the injury report appended with the anticipatory bail petition indicates that the injuries are simple in nature. Similarly, with respect to petitioner nos. 2 and 3, there is no specific allegation. As far as petitioner no. 4 is concerned, though there is an allegation of overt act, the injury report appended as Annexure-2 at page 36 shows that the injuries sustained are simple in nature. Likewise, for petitioner no. 5, the allegation of overt act is also accompanied by medical findings showing that the injuries sustained by Narayan Kumar are simple in nature. Learned counsel further submits that there is a counter version of the incident. The occurrence is said to have taken place on 20.04.2025 and in the first information report lodged in connection with the counter case, the informant and his family members who were made accused therein for allegedly assaulting these petitioners have already been granted anticipatory bail by a Coordinate Bench of this Court in Cr. Misc. No. 52825 of 2025, vide order dated 12.08.2025. It is further submitted that while seeking anticipatory bail in the said counter case, the informant himself had taken the stand that on account of a land dispute between the parties, a simple *maar-peet* had taken place in which both sides had sustained injuries



and the Court, considering the existence of case and counter-case between the parties, the nature of injuries sustained by the injured and the clean antecedents of the petitioners, was pleased to allow the prayer for anticipatory bail of the informant (petitioners in the said case).

4. Learned counsel for the informant appears and submits that though he holds *vakalatnama*, the same has not yet been filed. He opposes the prayer for anticipatory bail by contending that the injuries caused by the petitioners to the informant and his family members are dangerous to life, as per the doctor's opinion since nature of injuries have been found to be simple, which fact has not been disputed.

5. Considering the fact that there is a case and counter case between the parties, that both sides have sustained injuries and that the injuries have been found to be simple in nature, this Court is inclined to extend the privilege of anticipatory bail to the petitioners.

6. Let the petitioners, above named, be released on bail, in the event of arrest or surrender within a period of four weeks, from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial



Magistrate VI, Darbhanga in connection with Manigachhi P.S.
Case No. 50 of 2025 subject to the conditions as laid down
Section 482(2) of the BNSS, 2023 as well as the following
conditions:-

(i) one of the bailors should be the family
member/relative of the petitioners who shall provide official
document to show their bona fide;

(ii) the petitioners shall appear on each and every date
before the Trial Court and failure to do so for two consecutive
dates without plausible reason will entail cancellation of their
bail bond by the Trial Court itself;

(iii) the petitioners shall in no way try to induce or
promise or threat the witnesses or tamper with the evidences,
failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(iv) the petitioners shall desist from committing any
criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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