

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84456 of 2024

Arising Out of PS. Case No.-251 Year-2023 Thana- SINDHIYA District- Samastipur

1. Umakant Manjhi Son of Shri Shankar Manjhi @ Shankar Sardar Resident of Dorkahi, P.S.- Singhia, Distt.- Samstipur
2. Dilkhush Manjhi @ Dilkhush Kumar Manjhi Son of Late Surendra Manjhi Resident of Murli, P.S.- Baheri, Distt.- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kaushal Kumar, Advocate

For the Opposite Party/s : Mr. Anish Chandra, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 10-02-2025 Learned Counsel for the petitioners informs that the petitioner no. 1 has been arrested by the police during the pendency of this application and this application, so far as petitioner no. 1 is concerned, has become infructuous.

2. Accordingly, this application, so far as petitioner no. 1, is concerned, is dismissed as having become infructuous.

3. This application will now survive only for petitioner no. 2.

4. Heard learned Counsel for the petitioner no. 2 and learned Additional Public Prosecutor for the State.

5. The petitioner no. 2 apprehends his arrest in connection with Sindhiya Police Station Case No. 251 of 2023,



disclosing offences under Sections 341, 323, 307, 447, 448, 504 506, 354, 427, 379 and 34 of the Indian Penal Code.

6. The prosecution case, as per the First Information Report, is that on 10.10.2023 at about 9:30 A.M, petitioners along with other accused persons altogether 11 in numbers, arrived at the house of the informant, started assaulting with bricks, stones, batton, stick and iron rods etc. Co-accused Umakant assaulted the husband of the informant on his chest due to which blood started oozing from mouth. It has further been alleged that other accused persons assaulted the son and other family members of the informant.

7. Learned Counsel for the petitioner no. 2 submits that the petitioner no. 2 though named in the F.I.R., no specific allegation of overt act has been alleged against him. There is long standing land dispute between the parties and the title suit is going on between the parties bearing Title Suit No. 24 of 2022. The criminal cases have also been filed by both the parties. Due to previous litigation, the petitioner has been named in the First Information Report.

8. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that both the parties are neighbours and due to land dispute, civil as well as



criminal cases have been lodged by the parties and there is no specific overt act against the petitioner, I am inclined to grant the petitioner privilege of anticipatory bail.

9. This application is, accordingly, allowed.

10. Let the petitioner no. 2, above named, in the event of his arrest or surrender before the Court below within four weeks, be released 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 Judicial Magistrate 1st Class, Rosera, in connection with Sindhiya Police Station Case No. 251 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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