

**In the Court of Additional Sessions Judge III, Danapur, Patna**

Present: Manoj Kumar Srivastava, A.S.J.-III,

**Anticipatory Bail Petition No. 144/2026**

Arising out of Maner P.S. Case No. 455/2020

**1. Baban Saw**, aged about 71 years, S/o Late Raghunath Saw, **2. Munna Kumar**, aged about 32 years, S/o Baban Saw, **3. Nitish Kumar @ Jhandul Kumar**, aged about 24 years, S/o Baban Saw, **4. Shanti Devi**, aged about 69 years, W/o Baban Saw, **5. Punam Devi @ Punam Kumari**, aged about 30 years, W/o Munna Kumar, All R/o Vill Bhedhariya English, P.S. Paliganj, Dist Patna

.....Petitioners.

v r s.

The State of Bihar

.....Prosecution.

On behalf of Petitioners:

Sri Shiv Murti Singh, Ld. Advocate

On behalf of Opposite Party:

Md. Kalam Ansari, Ld. A.P.P.

**ORDER**

**12-03-2026**

**01.** The petitioners have filed the present anticipatory bail petition, as they are apprehending their arrest in connection with the present Maner P.S. Case No. 455/2020, dt. 22/08/2020, registered U/Ss. 341, 323, 308, 379, 504, 506/34 of the I.P.C., which is pending in the Court of Md. Arbaz Ansari, J.M.F.C., Danapur.

**02.** The prosecution case, as per, the written-application of informant Aarti Devi, in brief, is as such: On 22/08/2020 at about 08:00 A.M., a heated argument arose between the informant and accused persons over partition of land. Further alleged that all the F.I.R. named accused persons started abusing the informant, over which the informant opposed. Then the accused persons started throwing bricks and assaulted the informant with leg and fist. When her son Shambhu Kumar came to save, the accused Baban Saw assaulted him with iron rod over head and caused head injury to him. The accused Punam Devi snatched mangalshutra of informant. On commotion, the nearby people gathered there and seeing them the accused persons ran away from the place of occurrence. On the basis of written report of the informant, F.I.R. was lodged and investigation started.

**03.** The learned lawyer of the petitioners has submitted that the petitioners are quite innocent having clean criminal antecedent and have committed no offence as alleged and the allegations leveled against them are totally false and baseless. Further earlier to this, the petitioners have not filed any bail application for grant of regular bail or anticipatory bail in this court or in the Hon'ble High Court in this case and no bail application of the petitioners is pending in any court. Further submitted that petitioners have been falsely implicated in this case due to ill motive and malafide intention. Further both sides are gotiya and there is dispute over property between the parties. Further petitioner no. 3 filed Maner P.S. case no. 354/2020 against the informant and others and the informant filed this case as counter blast. There is no direct and specific allegation against the petitioners. The petitioner no. 1 is very old and sick person. Lastly, it is

**Cont....**

submitted that the petitioners are ready to abide any condition or conditions as laid down u/s 482(2) B.N.S.S., 2023 and also ready to furnish bail-bond with proper sureties. So, the petitioners may be given the privilege of anticipatory bail.

**04.** The learned Addl. P.P. has vehemently opposed the prayer of anticipatory bail of the petitioners.

**05.** Heard the Ld. Lawyers of the respective parties and perused the case record.

**06.** From perusal of the F.I.R., it appears that the present case has been lodged for the offence U/Ss. 341, 323, 308, 379, 504, 506/34 of the I.P.C. for assaulting the informant and her son by lathi, danda and iron rod and causing injuries to them and for taking mangalsutra of informant. Further the I.O. of this case has submitted charge-sheet no. 675/2022 u/s 341, 323, 308, 504, 506 of the I.P.C. So far case diary is concerned, para 02 of the case diary contains the restatement of the informant. Para 6, 7, 15 contain the statements of other witnesses. All witnesses have supported the prosecution case. From perusal of para 32 of the case diary, it also appears that during investigation, the petitioners were served notices and para 33 of the case diary shows that they were granted privilege of 41A of the Cr PC during investigation. Para 50 of the case diary shows that the I.O. of this case has submitted charge-sheet no. 675/2022. Further there is no injury report on case record. On perusal of entire materials on record, the court finds that the petitioners have no criminal antecedent. Further there is specific allegation against the petitioner no.1 to cause head injury to Shambhu Kumar. However there is no injury report on record to support the allegation. Further there is case and counter case and the investigation of the case has been completed. The petitioners were granted privilege of sec. 41A of the Cr PC during investigation.

**07.** Considering the aforesaid facts, the A.B.P. filed on behalf of the above named petitioners is **allowed**.

**08.** Accordingly, it is ordered that in the event of their arrest or surrender before the concerned court within 30 days from the date of this order, the petitioners shall be released on bail on furnishing of bail-bond of Rs.10,000/- with two security of like amount each with condition laid down U/S 482(2) B.N.S.S., 2023 to the satisfaction of Ld. Court below. O/C is directed to send a copy of this order to the Court below and a copy of the same be uploaded in C.I.S.

(Dictated)

Memo No...../ Dated...../...../...

Copy forwarded to

The Court of.....

Seal of the Court

**(Manoj Kumar Srivastava)**

Addl. S. J. 3<sup>rd</sup>, Danapur  
12-03-2026

Sd/-

**(Manoj Kumar Srivastava)**

Addl. S. J. 3<sup>rd</sup>, Danapur