

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14592 of 2016

Arising Out of PS.Case No. -250 Year- 2015 Thana -AURANGABAD TOWN District-
AURANGABAD

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1. Shahid Mansuri
2. Babu Mansuri. Both are Sons of Abdul Rahman Mansuri, Residents of
Azad Nagar, P.S.- Town Aurangabad, District- Aurangabad.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pramendra Kumar Singh, Advocate

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

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 24-05-2016 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Petitioners who are sons of the informant and
languishing in custody since 09.02.2016 in connection with
Aurangabad Town P.S. Case No. 250 of 2015 for the offences
alleged under Sections 341, 323, 324, 307 and 302/34 of the
Indian Penal Code.

The prosecution case is that the informant has three
sons and they have all separated from him, whereas he is making
his living by selling Agarwati. The informant has an unmarried
daughter, namely, Sabnam, aged about 17 years. Two of his sons
live in the same house in different rooms and they were objecting



and not allowing the informant to sell the house. The wife of the informant Salma Khatoon questioned as to why the house should not be sold as the brothers are not co-operating in the marriage of sister. Then his two sons Shahid Mansuri and Babu Mansuri the petitioners along with grandson Danish Mansuri, daughters-in-law Nuraisa Khatoon and Tammana Khatoon armed with lathi, danda and rod attacked the informant, his wife and daughter Sama Pravin. Shahid and Babu with knife attacked his wife Salma and she was injured and she was carried to the hospital with the help of villagers and in the course of treatment, she died.

It has been submitted by the learned counsel for the petitioner that there was scuffle between the family members of the informant and the accused were all variously armed with lathi, danda, rod and knife and there is no specific allegation as to who assaulted the deceased, which resulted in her death. He further submits that the petitioners have clean antecedents as is evident from paragraph 3 of this application and it was only on the basis of minor dispute that the occurrence took place.

Learned A.P.P. for the State submits that the petitioners are named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, since there is no specific allegation

against any of the co-accused, which resulted in the death of the deceased, let the petitioners, above named be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Aurangabad Town P.S. Case No. 250 of 2015.

(Nilu Agrawal, J)

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