

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22046 of 2019

Arising Out of P.S. Case No.-451 Year-2018 Thana- MAKHDUMPUR District- Jehanabad

1. SUSHILA DEVI, aged about 43 years, Female, Wife of Kamata @ Kamata Prasad Resident of Village - Chamu Bigha (Raja Bigha), P.S.- Makhadumpur, Distt - Jehanabad.
2. Prabhat Ranjan, aged about 22 years, Son of Kamata Prasad Resident of Village - Chamu Bigha (Raja Bigha), P.S.- Makhadumpur, Distt - Jehanabad.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners : Mr.Arvind Prasad Singh
For the Opposite Party : Mr.Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 24-07-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 149, 448, 323, 325, 307, 506 and 504 of the Indian Penal Code.

The prosecution case is that the accused persons assaulted the informant with lathi, danda and also abused him whereas petitioner Prabhat Ranjan assaulted with lathi on the informant as a result thereof hand of the informant fractured. It is further alleged that accused/petitioner Sushila Devi broken the box and committed theft of Rs.15,000/- during course of assault.

It is submitted on behalf of the petitioners that the occurrence has taken place on 29.11.2018 whereas the FIR has been lodged on 08.12.2018 and there is no explanation of



inordinate delay in lodging the FIR. There is land dispute between the parties. It is further submitted that there is specific allegation against co-accused Kamta Prasad who is in custody.

Considering the facts aforesaid, let the petitioner no.2, namely, Prabhat Ranjan be released on bail in the event of his arrest or surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Jehanabad/successor Court in connection with Makhadumpur P.S.Case No.451 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bonds of the petitioner.

So far as petitioner no.1, namely, Sushila Devi is concerned, the provisional bail granted to her by order dated 08.04.2019 is hereby confirmed.

(Prabhat Kumar Singh, J)

B.Kr./-

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