

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53796 of 2019

Arising Out of PS. Case No.-79 Year-2019 Thana- MOHAMMADPUR District- Gopalganj

1. UTTAM PRASAD, aged about 38 years, Male, Son of Sipahi Prasad, Resident of Village - Mohammadpur, P.S.- Mohammadpur, Dist.- Gopalganj
 2. Shrikanti Devi, aged about 35 years, Female, Wife of Uttam Prasad, Resident of Village - Mohammadpur, P.S.- Mohammadpur, Dist.- Gopalganj
- ... Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr. Pankaj Kumar Dubey, Adv.
For the Opposite Party : Mr. Satya Nand Shukla, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 27-08-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the state.

The petitioners seek pre-arrest bail in connection with Mohammadpur P.S. Case No. 79 of 2019 for the offences alleged under Sections 341, 323, 324, 307, 379, 504, 506 and 34 of the Indian Penal Code.

The accusation is that informant, Sunil Kumar, went at his kiln, situated in village Mohammadpur and saw that the wall is being erected there, then, on query, both the petitioners came with bamboo pieces and petitioner no. 2, Shrikanti Devi, asked to kill and started to abuse and attack through her beet at his head in which the informant sustained injury and fell down unconscious, thereafter, petitioner no. 1, Uttam Prasad, caused



injury through piece of bamboo. At that time, they took the cash of Rs.3,000/- from his pocket and he also caused assault to Ishwar Sah, father of the informant.

Learned counsel appearing for the petitioners submits that due to land dispute occurrence of marpeet took place in which petitioners' side also sustained injury, regarding which Mohammadpur P.S. Case No. 78 of 2019 was also instituted on the basis of fardbeyan of petitioner no. 2 for offence under Sections 341, 323, 354(b) and 34 of the Indian Penal Code. Further, submission is that out of two injuries found on the person of the informant one injury is said to be simple in nature, while opinion regarding another injury is kept reserved and the injury on the father of the informant is simple in nature. Both petitioners have no criminal antecedent.

Learned Additional Public Prosecutor for the State opposes the prayer for pre-arrest bail.

Having regard to the facts and circumstances of the case, let the petitioners, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Mohammadpur P.S. Case No. 79 of 2019 shall be released on pre-arrest bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the



like amount each to the satisfaction of the Additional Chief
Judicial Magistrate, I, Gopalganj, or the successor Court subject
to the conditions as laid down under Section 438(2) Criminal
Procedure Code.

(Rajendra Kumar Mishra, J)

Shamshad/-

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