

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9374 of 2020

Arising Out of PS. Case No.-101 Year-2019 Thana- DARPA District- East Champaran

1. JANAK PRASAD, S/o Late Gauri Shankar Mahto,
2. Hira Lal Prasad @ Hiralal Prasad, S/o Late Gauri Shankar Mahto,
3. Balmiki Prasad, S/o Hira Lal Prasad @ Hiralal Prasad,
4. Radheshyam Prasad, S/o Ram Ekbal Prasad,
5. Ragho Prasad, S/o Ram Ekbal Prasad,
6. Pradeep Prasad, S/o Umesh Prasad,
All R/o Darpa Tola, Pipra, P.S.- Darpa, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Patanjali Rishi
For the Opposite Party/s : Mr.Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-03-2020 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 342, 114, 302, 504 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

Prosecution case, in brief is that on 06.10.2019 informant and her husband went at Chhauradano for the purpose of seeing Goddess Durga Mata by motorcycle and during returning she arrived near the house of Hari Sah, all the accused



persons named in the FIR including the petitioners surrounded her bike. Co-accused Jagdish Mahto placed an order to kill the informant's husband. The informant came down from the bike and requested them not kill her husband then petitioner Inardeo Ram dashed her and told to flee away in abusive words. Meanwhile co-accused Ramesh Prasad fired at her husband which hit in the arm of her husband. Co-accused Deepak Kumar also made fire which hit in the chest of the informant's husband, resultant her husband fell down on the earth. Nearby people got over informant's husband in four wheeler were taking into Motihari but in the way informant's husband died.

Learned counsel for the petitioners submits that the petitioners are innocent and they have not committed any offence they alleged in the FIR. The allegation of firing is specifically against co-accused Ramesh Prasad and Deepak Kumar. The petitioners have got no criminal antecedent.

In the aforesaid facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs. 20,000/- (rupees twenty thousand) each with two sureties of the like amount each to the



satisfaction of the learned Chief Judicial Magistrate, East Champaran at Motihari, in connection with Darpa P.S. Case No. 101 of 2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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