

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79513 of 2019

Arising Out of PS. Case No.-145 Year-2019 Thana- MANPUR District- Nalanda

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1. ANUJ KUMAR Son of Rajendra Mistri
 2. Kundan Mistri Son of Rajendra Mistri
 3. Prahlad Mistri @ Prahlad Kumar Son of Rajendra Mistri
 4. Tetari Kumari Daughter of Rajendra Mistri
 5. Shobha Devi Wife of Rajendra Mistri
 6. Seema Kumari Wife of Kundan Mistri
 7. Subi Kumari @ Subila Kumari Wife of Suraj Mistri
- Petitioner No.1, 3 , 4 are minors under natural guardian mother. Petitioner no.5, well wisher and next friend. All are Resident of Village - Newajibigha, P.S.- Manpur, Distt - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabi Bhushan Prasad No. 1
For the Opposite Party/s : Mr.Arun Kumar Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 22-01-2020 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners apprehend their arrest in a case registered for the offence punishable under Section 147, 149, 323, 307, 379, 337 and 504 of the Indian Penal Code.

Informant has alleged that on 19.08.2019 when he was talking with his brother Tulsi Mistry on the Chabutra of Devi Asthan, Anuj Kumar came and was hearing their talks on which, the informant told him to go. Thereafter, Anuj Kumar



called his family members and assaulted the informant by lathi and danda. There is specific allegation against co-accused Suraj Kumar of assaulting on the head of informant by iron rod as a result of which he suffered head injury and became unconscious. Thereafter, it is further alleged that other accused also assaulted and snatched away cash and golden chain.

It has been submitted that petitioners are innocent and there is no allegation of any specific overt act against them. The allegations are general and omnibus in nature and previously the informant has assaulted father of petitioner no.1 who sustained grievous injury in which Suraj Kumar was the informant as contained in Annexure2. Petitioners have got no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 20,000/- each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Manpur P.S. Case No.145/2019 subject to the condition as laid down under Section 438(2) of the Cr.P.C with following conditions:-



(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioners shall co-operate in the trial and shall be present on each and every date fixed by the court and their absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel their bail bonds.

(3) If the petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(S. Kumar, J)

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