

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38364 of 2020

Arising Out of PS. Case No.-145 Year-2020 Thana- GAUTAMBUDHNAGAR District-
Siwan

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1. DEWANTI DEVI WIFE OF MUNNI LAL PRASAD RESIDENT OF VILLAGE - SATWAR, POLICE STATION - GAUTAMBUDH NAGAR (G. B. NAGAR) DISTRICT - SIWAN
 2. MUKESH PRASAD SON OF MUNNI LAL PRASAD RESIDENT OF VILLAGE - SATWAR, POLICE STATION - GAUTAMBUDH NAGAR (G. B. NAGAR) DISTRICT - SIWAN
 3. MANOJ PRASAD SON OF MUNNI LAL PRASAD RESIDENT OF VILLAGE - SATWAR, POLICE STATION - GAUTAMBUDH NAGAR (G. B. NAGAR) DISTRICT - SIWAN

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Shambhu Prasad Yadav, Advocate
For the Opposite Party/s : Mr. Anil Kumar Singh No.1, A.P.P

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 08-07-2021 As prayed for, let the learned counsel appearing for the petitioners remove the defect(s), as pointed out by the office vide its notes dated 22.12.2020, within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioners and the learned A.P.P. for the State through video conferencing.

The petitioners apprehend their arrest in connection with G.B. Nagar P.S. Case no. 145 of 2020, registered under Sections 341, 323, 307, 379, 504 and 506/34



of the Indian Penal Code.

The accusation is that on 01.06.2020, in the evening, while informant Manju Devi was returning to her house, in the way, five persons named in the F.I.R., including the petitioners, started to abuse, when informant made protest then all became adamant and started to cause assault. On hearing hulla, her son Nitish Kumar and niece Rahul Kumar rushed to save her then Munnilal Prasad gave Daab blow at the head of Rahul Kumar, when villagers rushed there then all fled away and Rahul Kumar was rushed to Sadar Hospital, Siwan and from where he was referred to Gorakhpur for better treatment.

Learned counsel for the petitioners submits that, in fact, due to teasing of Nitish Kumar, son of informant, to Nikki Kumar, daughter of co-accused Munnilal Prasad and Dewanti Devi (Petitioner No.1) the occurrence of Marpit took place in which petitioners' side also sustained injury regarding which G.B. Nagar P.S. Case No. 146 of 2020 was also instituted on 12.06.2020 against Nitish Kumar, Kailash Thakur and Rahul Kumar Thakur on the basis of fardbeyan of Nikki Kumari. Moreso, while the petitioners are named in the F.I.R., along with others, but specific allegation is against Munnilal Prasad,



who caused head injury to Rahul Kumar.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Siwan in connection with Gautam Budh Nagar P.S. Case No. 145 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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