

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54064 of 2021

Arising Out of PS. Case No.-214 Year-2020 Thana- KURTHA District- Jehanabad

1. Sunita Devi Wife Of Anil Yadav R/O Village- Niighwan, P.S.- Kurtha (MANIKPUR), District- Arwal
2. Prince Kumar Son Of Late Anil Yadav R/O Village- Niighwan, P.S.- Kurtha (MANIKPUR), District- Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 03-12-2021 Heard learned counsel for the petitioners and the State.

Petitioners seek regular bail in a case registered for the offence punishable under section 302 and other ancillary sections of the Indian Penal Code.

As per the prosecution case, while informant's field was being cultivated, petitioners along with other 11 co-accused persons, armed with lathi, danda and iron rod, started abusing and assaulting the informant and on protest by her husband and father in law, accused persons also assaulted them on their head and other parts of the body. Father in law of the informant died in course of treatment.

Learned counsel for the petitioners submits that the



petitioners are innocent and have falsely been implicated in this case. There is case and counter case in which both sides sustained injuries and the incident was not pre- planned and admittedly there is land dispute between the parties. Learned counsel further submits that though there is allegation of assault by 13 accused persons but the doctor has found only three injuries on the person of the deceased. Petitioner no. 1 a widow lady and petitioner no.2 is grand son of the deceased and they are in custody since 24.7.2021.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioners is allowed. Let all the petitioners, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Arwal in Kurtha Manikpur Police Station Case No. 214 of 2020.

(Prabhat Kumar Singh, J)

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