

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.739 of 2021

Arising Out of PS. Case No.-59 Year-2020 Thana- MANSURCHAK District- Begusarai

1. Rinku Devi, Wife of Gopal Choudhary.
 2. Gopal Choudhary, Son of Late Kapildeo Choudhary.
- Both are resident of Village - Nayatol, P.S. - Mansoorchak, District – Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No. 2, Adv.

For the Opposite Party/s : Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 27-07-2021 Heard Mr. Manish Kumar No. 2, the learned Advocate for the petitioners and the learned APP for the State.

The petitioners seek bail in anticipation of their arrest in connection with Mansoorchak P.S. Case No. 59 of 2020, dated 29.06.2020, instituted for the offences under Sections 341, 323, 325, 307, 504 and 506/34 of the Indian



Penal Code.

It has been alleged in the F.I.R. that over the issue of the cow of the informant straying in the land of the petitioners, an occurrence took place where the petitioners, who are the husband and wife amongst themselves, and their two sons are alleged to have assaulted the informant and his wife by means of sharp cutting weapons.

The informant is the full brother of petitioner No. 2. The petitioner No. 1 is the wife of petitioner No. 2. The informant and the petitioner No. 2, apart from being brothers, are neighbours as well.

It has been submitted on behalf of the petitioners that because of the afore-noted minor dispute, a clash between the two brothers took place which ended in the informant and his wife getting injured. For the reason, it has been argued, that the two sons of the petitioners who are of tender age, they were given clean-chit by the police during the course of investigation. By this fact, the learned counsel for the petitioners has tried to impress upon this Court that the accusation in the F.I.R. is highly exaggerated. Even the



minor sons of the petitioners were made accused in this case. A look at the injuries suffered by the informant and his wife indicates that they are not grievous injuries. Notwithstanding the dimensions of the injuries, opinion has been reserved for the purposes of deciphering the nature of such injuries.

Regard being had to the facts afore-stated, especially the petitioner No. 2 and the informant being own brothers and some indication of exaggeration of the allegations, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of eight weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-Ist Class, Begusarai in connection with Mansoorchak P.S. Case No. 59 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

While saying so, this Court has taken note of the fact that the F.I.R. has been registered after twenty four



days of the occurrence.

The application stands allowed.

(Ashutosh Kumar, J)

Praveen-II/-

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