

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14861 of 2022

Arising Out of PS. Case No.-314 Year-2021 Thana- BASANTPUR District- Siwan

1. Pushpa Devi Wife of Munna Prasad Resident of Village - Bari Lakari, P.S.- Basantpur (Lakari Nabiganj O.P.), District - Siwan, At present resident of Mohalla - G.P. Road Bijpur, Harlisahar (M), Hazinagar, North - 24 Pargana, West Bengal.
2. Munna Prasad Son of Chandeshwar Prasad Resident of Village - Bari Lakari, P.S.- Basantpur (Lakari Nabiganj O.P.), District - Siwan, At present resident of Mohalla - G.P. Road Bijpur, Harlisahar (M), Hazinagar, North - 24 Pargana, West Bengal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Bardhan Pandey
For the Opposite Party/s : Mr.Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-08-2022 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners apprehend their arrest in Basantpur P.S. Case No. 314 of 2021, registered for the offences punishable under Sections 307, 379 and other allied sections of the Indian Penal Code. Later on, section 302 IPC was added.

As per the prosecution case, these petitioners caught hold of the deceased from behind and thereby facilitated the alleged occurrence. Specific allegation of stabbing is against co-accused Chandra Shekhar Prasad.

It is submitted that these petitioners have been falsely



implicated in this case due to land dispute and a partition suit is pending. At the relevant time, petitioner no. 2 was working in West Bengal and he was on duty and petitioner no. 1 was admitted in Hospital in West Bengal and in support of the same annexed some document vide Annexure-2. Specific allegation of stabbing is against co-accused Chandra Shekhar Prasad.

Counsel for the informant however, vehemently opposed the prayer for bail.

Considering the facts aforesaid, the petitioners above-named, in the event of their arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Siwan in connection with Basantpur P.S. Case No. 314 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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