

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48374 of 2021

Arising Out of PS. Case No.-70 Year-2020 Thana- MADHWAPUR District- Madhubani

1. Prem Sagar Devi @ Sunita Devi W/o Rajendra Thakur Resident of Village - Sujatpur, P.s.- Madhwapur, Distt.- Madhubani.
2. Deepak Thakur Son of Rajendra Thakur Resident of Village - Sujatpur, P.s.- Madhwapur, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amar Prakash, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-01-2022 Heard learned counsel for the petitioners and learned A.P.P. for the State through virtual court proceedings.

The petitioners seek bail in connection with Madhwapur P.S. Case No. 70 of 2020 instituted for the offences under Sections 341, 323, 324, 307, 504 and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are in custody since 07.12.2020, are persons with clean antecedent, charge-sheet has been submitted in the case and petitioner no. 1 is a woman and petitioner no. 2 is a male, aged about 22 years.

Learned counsel for the petitioners submits that



allegation is of assaulting the brother of the informant, namely, Ranjay Thakur by the petitioners and other accused persons and when informant and her parents came to save Ranjay Thakur, they were also assaulted by iron rod and spade, further the accused took away silver chain of the mother of the informant who was lying unconscious due to the assault and Rs. 15,000/- from Ranjay Thakur.

Learned counsel for the petitioner submits that from perusal of the allegation as alleged in the F.I.R. it would manifest that no motive has been assigned for the occurrence, further the relationship has been concealed. Learned counsel submits that petitioner no. 2 and informant are own cousin brothers and their fathers are own brothers and there is a land dispute between them. It is submitted that no doubt the injuries of Ranjay Thakur and his father are said to be grievous but then the same was caused because the side of the informant were the aggressor which led to a fight between the family. It is further submitted that there was no repeated assault on the injured and the mother of the informant had only suffered swelling.

Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioners.

Considering the fact that the petitioners are in custody



since 07.12.2020, charge-sheet has been submitted in the case, petitioners are persons with clean antecedent, petitioner no. 1 is a lady and petitioner no. 2 is a young person aged about 22 years, no motive has been alleged in the F.I.R. and there is a land dispute between the parties, let the petitioners above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned J.M.-I, Benipatti in connection with Madhwapur P.S. Case No. 70 of 2020.

(Satyavrat Verma, J)

Rishi/-

U		T	
---	--	---	--

