

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7568 of 2023

Arising Out of PS. Case No.-95 Year-2022 Thana- PHULWARIA District- Begusarai

1. Manoj Prasad Son Of Rajo Singh R/O Village- Shokahara, Ward No.6, P.S.- Phulwariya, District- Begusarai
2. Premlata Devi Wife Of Manoj Prasad R/O Village- Shokahara, Ward No.6, P.S.- Phulwariya, District- Begusarai
3. Ramesh Prasad Son Of Mathura Prasad R/O Village- Shokahara, Ward No.6, P.S.- Phulwariya, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sarvottam Kumar
Mr. Raj Kumar

For the Opposite Party/s : Mr.Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-04-2023 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 307, 324, 379, 34 of the Indian Penal Code.

As per the prosecution case, petitioner no. 1 assaulted with iron rod upon the head of informant. Petitioner no. 2 snatched cash of Rs. 5,000/- from pocket of informant and petitioner no. 3 tied towel in his neck and pulled.

It is submitted that both parties are *Gotias*. Petitioner nos. 1, 3 and informant are full brothers and petitioner no. 2 is sister-in-law of the informant. Due to petty dispute between the



parties, simple *marpit* took place. There is case and counter case.

However, counsel for State vehemently opposed the prayer for bail and submitted that petitioner no. 1 caused grievous injury to the informant.

Considering the nature of injury, I am not inclined to enlarge Manoj Prasad petitioner no. 1 on anticipatory bail. Accordingly, the same is rejected.

So far as the case of petitioner nos. 2 and 3 are concerned, there is no allegation of specific overt act against them, therefore, petitioner nos. 2 and 3 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 Additional Chief Judicial Magistrate-I, Begusarai in connection with Phulwariya P.S. Case No. 95 of 2022, 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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