

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13487 of 2023

Arising Out of PS. Case No.-227 Year-2022 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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1. Manoj Mahto @ Manoj Kumar Mahto Son Of Suresh Mahto R/O Village- Raja Dumri, Ward No.2, P.S.- Muffasil (LAKHO O.P.), District- Begusarai
 2. Anaras Devi @ Anras Devi Wife Of Manoj Mahto @ Manoj Kumar Mahto R/O Village- Raja Dumri, Ward No.2, P.S.- Muffasil (LAKHO O.P.), District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate
For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 23-05-2023 Heard learned counsel appearing on behalf of the petitioners and learned Additional Public Prosecutor appearing on behalf of the State.

The accused/petitioners are named in the F.I.R. and apprehend their arrest in connection with Begusarai Muffasil P.S. Case No. 227 of 2022 registered for the offences punishable under Sections 307, 504, 506, 34 of the Indian Penal Code (in short 'I.P.C.') and under Section 27 of the Arms Act.

The allegation against these petitioners is to cause gun shot injury to the son of informant, alongwith other co-accused persons, while he was sleeping in nursery, where occurrence arises out of previous enmities.



Learned counsel appearing on behalf of the petitioners submitted that the thrust of allegation is available against named co-accused Jyotish Kumar and implication of petitioners are only for the reason that they are parents of named co-accused Jyotish Kumar. It is submitted that even injured found co-accused Jyotish Kumar and one Ajit Kumar running away from the place of occurrence immediately after causing gun shot injuries. It is submitted that similarly situated co-accused person, namely, Chitra Rekha Devi @ Rekha Devi has already been granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 56540 of 2022 vide order dated 02.01.2023. While concluding the argument it is submitted that petitioners are of clean antecedent.

Learned APP for the State opposes the prayer of bail.

Considering the aforesaid facts and circumstances as mentioned above, as implication of petitioners appears being parents of named co-accused Jyotish Kumar, accordingly, all above named petitioners, in the event of their arrest or surrender before the court below within a period of four weeks, are directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial



Magistrate, Begusarai/concerned Court, where the case is pending in connection with Begusarai Muffasil P.S. Case No. 227 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

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