

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16549 of 2023

Arising Out of PS. Case No.-131 Year-2012 Thana- MADHUBAN District- East Champaran

1. Subhash Prasad S/o Late Prahalad Bhagat, Residence of village- Sirauli, P.S- Madhuban, District- East Champaran at Motihari
 2. Jaichandra Prasad @ Jaichand Prasad S/o Rajdeo Prasad, Residence of village- Sirauli, P.S- Madhuban, District- East Champaran at Motihari
- Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binay Kumar, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 10-05-2023 Let the defect(s), if any, be removed within two weeks from today.

Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners seek regular bail in connection with Madhuban P.S. Case No. 131 of 2012 dated 02.07.2012, lodged under Sections 147, 148, 149, 302, 307, 504, 506 of the Indian Penal Code.

As per prosecution case, the allegation of killing the victim is there in the F.I.R. against 19 named accused persons.

Learned counsel for the petitioners submits that this case is out and out false, no such occurrence took place rather the name of petitioners are figured in this case by virtue of deep rooted conspiracy. He further submits that there is case and counter case filed by both the parties, the informant side has filed F.I.R. bearing Madhuban P.S. Case No. 131 of 2012 whereas



petitioners side filed F.I.R. bearing Madhuban P.S. Case No. 132 of 2012. Learned counsel for the petitioners submits that two criminal cases have been pending against petitioner no.1 and he is on bail in both the cases and one criminal case is pending against petitioner no.2 in which he is also on bail. He also submits that petitioners are in custody since 13.12.2022.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above as well as considering the fact that long pending dispute is going on between the parties, let the petitioners above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IV, Motihari in connection with Madhuban P.S. Case No. 131 of 2012, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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