

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21226 of 2023

Arising Out of PS. Case No.-24 Year-2022 Thana- PAHARPUR District- East Champaran

1. DILKHUSH KUMAR Son of Ramayan Giri Resident of Village - Mankarariya, Tola Husepur, P.S.- Paharpur, District - East Champaran.
2. Mankhush Kumar Son of Hira Lal Prasad Resident of Village - Mankarariya, Tola Husepur, P.S.- Paharpur, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Umesh Chandra Verma
		Mrs. Rashmi Jha
For the Opposite Party/s	:	Mr.Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3. 24-07-2023 At the outset, learned counsel for the petitioners seeks permission to make correction in the cause title with regard to father's name of petitioner no. 1. He submits that in place of "Hira Lal Prasad", it was incorrectly typed as Ramayan Giri in the petition.

2. Permission is accorded. It may be done in course of the day. Accordingly, let the cause title be read as follows:

**"1. Dilkhush Kumar (M), aged about 27 years,
son of Hira Lal Prasad**

**2. Mankhush Kumar (M), aged about 25 years,
son of Hira Lal Pasad.**

**Both resident of Village: Mankarariya, Tola
Husepur, P.S: Paharpur, District: East Champaran."**

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



4. The petitioners apprehend their arrest in a case registered for the offence under Sections 341, 323, 504, 306, 34 of the Indian Penal Code and Section 67(C) of the I. T. Act, 2000.

5. As per the prosecution case, the daughter of the informant was married with on Rohit Prasad about 6-7 years ago, however; her daughter was residing with her (informant) since last month and it is alleged that on 19.01.2022 at about 7-8 PM, one Binda Lal Prasad (informant's relative) came to the house of informant and stayed there at night and in the morning, some villagers alongwith other co-accused persons came there and stated that Binda Lal Prasad, who stayed at night in informant's house, had illicit relation with informant's daughter. It is further alleged that said Binda Lal Prasad was assaulted by fists & slaps and thereafter, informant's daughter was asked to assault said Binda Lal Prasad by slipper (chappal) by the Sarpanch and others and a video of the incident was made on mobile and made viral. Seeing this video, the daughter of the informant became depressed and committed suicide.

6. It is submitted on behalf of petitioners that petitioners are not named in the F.I.R. Name of the petitioners transpired in this case by supervision note with only allegation



that in the alleged video, these petitioners were abusing the deceased. Other similarly situated co-accused persons have already been granted anticipatory bail by different Benches of this Court. Petitioners have got clean antecedent.

7. Learned A.P.P. for the State has opposed the bail petition.

8. Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Motihari, District – East Champaran in connection with Paharpur P.S. Case No. 24 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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