

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 25984 of 2023

Arising Out of PS. Case No.-33 Year-2023 Thana- CHAINPUR District- Kaimur (Bhabua)

1. RAJ KUMAR son of Bharat Bind Village- Lodipur Ps- Chainpur, Dist- Kaimur (Bhabua)
2. Raja Ram Bind @ Raja Ram son of Bharat Bind Village- Lodipur Ps- Chainpur, Dist- Kaimur (Bhabua)
3. Channa Devi wife of Bharat Bind Village- Lodipur Ps- Chainpur, Dist- Kaimur (Bhabua)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr Surendra Kumar Mishra, Advocate
For the S t a t e	:	Mr Satyendra Prasad, APP
For the I n f o r m a n t	:	Mr Chandra Mohan Jha, Advocate

CORAM: HONOURABLE MR JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 23-05-2023 Learned counsel for the petitioners is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioners, informant and learned Additional Public Prosecutor (for brevity, **APP**) appearing for the State of Bihar.

The petitioners have preferred this application for grant of regular bail in connection with Chainpur Police Station (for brevity, **PS**) Case No 33 of 2023 dated 27.06.2021 registered for the offence punishable under Sections 147, 149, 341, 323, 325, 302, 504 of Indian Penal Code.



As per prosecution case, the co-accused Savita cut off the supply of water pipe. On being protested, the petitioner and the co-accused persons started abusing the informant's wife which was objected by the informant. Then the co-accused Bharat Bind assaulted on the head of the informant's wife with lathi with intent to kill and she, on being unconscious, fell down. When the informant tried to rescue his wife, the petitioner No 1 Raj Kumar assaulted on the head and hand of the informant with iron rod causing injuries. The co-accused Ramchandra Bind and the petitioner No 2 Raja Ram Bind assaulted on the head and finger of Munna Bind causing injury on his head. The informant's wife succumbed to the injuries during treatment.

Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The petitioners have no criminal case, as stated in paragraph 3 of the bail petition. They are in custody in this case since 08.02.2023. It is further submitted that the allegation of assault and causing death of the informant's wife is against co-accused Bharat Bind.

Learned counsel for the informant and learned APP have vehemently opposed the bail petition of the petitioners.



Considering the aforesaid facts and circumstances of the case, the period of custody as well as the nature of allegation against the petitioners, the petitioners above named are directed to be released on bail on each of them furnishing bonds of Rs 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate II, Kaimur at Bhabua in Chainpur PS Case No 33 of 2023 dated 07.02.2023.

This application stands allowed.

(Chandra Prakash Singh, J)

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