

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31391 of 2023

Arising Out of PS. Case No.-154 Year-2022 Thana- MINAPUR District- Muzaffarpur

1. Jiyalal Mahto Son of Late Baran Mahto Resident of village - Panapur Bangla Tola, P.O. - Panapur, P.S. - (O.P.) - Panapur, P.S. - Minapur, Distt. - Muzaffarpur
2. Monu Kumar Son of Jiyalal Mahto Resident of village - Panapur Bangla Tola, P.O. - Panapur, P.S. - (O.P.) - Panapur, P.S. - Minapur, Distt. - Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar
For the Opposite Party/s : Mr.Kanhaiya Kishore (APP- 100)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-07-2023 Heard learned counsel for the petitioners and

learned counsel for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 342, 323, 324, 307, 354(B), 120(B), 34 of the Indian Penal Code. Later on, section 302 was added.

3. As per the prosecution case, on account of land dispute, all the 15 FIR named accused persons including petitioners variously armed started assaulting the father of informant and when sister-in-law (*Bhabhi*) of informant came to save him, the accused persons assaulted her with *Farsa*, as a result of which she fell down on the ground. Later on, during



course of treatment, informant's father died.

4. It is submitted that there is general and omnibus allegation of assault and no specific overt act has been alleged against petitioners. There is case and counter case. Both sides sustained injuries. Similarly situated co-accused have been granted bail by a coordinate Bench of this Court vide order dated 06.04.2023 passed in Cr. Misc. No. 2332 of 2023.

5. Considering the facts aforesaid, the petitioners 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 Chief Judicial Magistrate/concerned court, Muzaffarpur in connection with Minapur P.S. Case No. 154 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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