

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 36249 of 2023

Arising Out of PS. Case No.-96 Year-2023 Thana- CHIRAIYA District- East Champaran

1. Anoj Dubey @ Anuj Kumar Manglam Son Of Awadesh Dubey Resident Of Village - Mirpur, Police Station - Chiraiya, District - East Champaran
2. Vishal Kumar @ Vishal Sah Son Of Pappu Prasad @ Dharmendra Prasad @ Pappu Sah Resident Of Village - Mirpur, Police Station - Chiraiya, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prateek Tandon, Adv.
For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 24-06-2023 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 Chiraiya P.S. Case No. 96 of 2023 lodged under Sections 302, 34 of the I.P.C.

As per the prosecution case, the F.I.R. has been lodged against 6 named and 2 unknown accused persons with whom there is allegation that all 8 persons reached there at the house of the informant where scuffling started for family issues. A general and omnibus allegation has been made against all the

accused persons that they have used their fist, in result the brother of the informant fell down and died.

Learned counsel for the petitioners submits that from the content of F.I.R., it transpires that both informant and petitioner are close relatives. Counsel submits that petitioners are in custody since 05.04.2023 having clean antecedent. Counsel further submits charge-sheet has already been filed in this case.

Counsel further submits that there was absolutely no intention to kill the alleged deceased rather at the spur of the moment, the scuffling started and due to which brother of the informant died. Counsel submits that realizing it an unfortunate event, both parties have entered into compromise vide Annexure-2.

Learned counsel for the State opposes the prayer for bail but admits that from the F.I.R., no criminal intent are figured.

In the present facts and circumstances of this case and the submissions made above, 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.-4th at Sikrahana at

Dhaka, East Champaran in connection with Chiraiya P.S. Case
No. 96 of 2023, 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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