

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42558 of 2023

Arising Out of PS. Case No.-260 Year-2020 Thana- MURLIGANJ District- Madhepura

1. Bhim Mandal Son of Yogeshwar Mandal, Resident of Village - Pratap Nagar, Police Station - Murliganj, District – Madhepura.
2. Kundan Mandal Son of Bhim Mandal, Resident of Village - Pratap Nagar, Police Station - Murliganj, District – Madhepura.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh, Adv.
For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 14-07-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners seek regular bail in connection with Murliganj P.S. Case No.260 of 2020 dated 31.08.2020, lodged under Sections 341, 323, 324, 325, 307, 379, 302, 34 of the Indian Penal Code.

3. As per prosecution case, the F.I.R. has been lodged against 14 named accused persons including the present petitioner. It has been alleged that all the 14 accused persons have brutally assaulted the informant and her husband due to which the son of informant has died.

4. Learned counsel for the petitioners submits that it is



true that the present case has been lodged under Section 302 of the Indian Penal Code and the petitioners were named in the accused column but it is also true that after going through the contents of F.I.R. there is no specific allegation against the petitioners to assault the deceased. He further submits that the allegation against the petitioner no.1 is true that he has assaulted the son of informant by rod but the injury is simple in nature. Learned counsel submits that antecedent of petitioners are clean and they are in custody since 05.04.2023. He further submits that co-accused person has been granted bail by the Co-ordinate Bench of this Court vide order dated 28.07.2022 passed in Cr. Misc. No.19009 of 2022.

5. Learned counsel for the State opposes the prayer for bail.

6. 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.-1, Madhepura in connection with Murliganj P.S. Case No.260 of 2020, subject to the conditions as laid down under Section 437(3) of Cr.P.C.



7. With this observation, the bail application stands
allowed.

(Dr. Anshuman, J.)

ritik/-

U		T	
---	--	---	--

