

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48487 of 2023

Arising Out of PS. Case No.-151 Year-2023 Thana- SURSAND District- Sitamarhi

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1. Shankar Mandal @ Shankar Kumar Son Of Sri Kameshwar Mandal Resident Of Village- Virakh Ward No. 1, P.S. Sursand District- Sitamarhi
 2. Ratani Devi Wife Of Sri Kameshwar Mandal Resident Of Village- Virakh Ward No. 1 P.S. Sursand District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan

For the Opposite Party/s : Mr.Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 06-09-2023 Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

The petitioners have prayed for regular bail in a case registered for the offence punishable under sections 302, 323, 34 of the Indian Penal Code.

As per prosecution case, the allegation against the accused persons including the petitioners is that they were forcibly fencing on the informant's land and upon protested they by fists and slaps assaulted informant's husband due to which he sustained injuries. Thereafter, he was taking to hospital but on the way he died.

Learned counsel for the petitioners submit that the petitioners are innocent and have committed no offence. They



have falsely been implicated in this case due to boundary dispute. The informant is not an eye witness of the alleged occurrence and no specific allegation levelled against the petitioners. It is further submitted that there is also an ordinate delay of lodging the FIR without given any cogent reason. The petitioners have got no criminal antecedent. Moreover, they are languishing in judicial custody since 23.03.2023.

Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioners, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Sursand P.S. Case No. 151 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court.

(Sunil Kumar Panwar, J)

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