

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51224 of 2023

Arising Out of PS. Case No.-93 Year-2023 Thana- AMAUR District- Purnia

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1. Jahangir Son of Saidul Resident of village and P.S. - Amour, Distt. - Purnea
 2. Ujala @ Ujala Khatoon Wife of Jahangir Resident of village and P.S. - Amour, Distt. - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md. Rashid Alam, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-08-2023 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 147, 341, 323, 379, 307 and 302 of the Indian Penal Code.

3. As per prosecution case, on the alleged date and time of the occurrence, these petitioners, along with other accused persons, are alleged to have assaulted the informant by fists and slaps and in course of assault, co-accused Munna Ansari hit wife of the informant on the head with *khanti* and badly injured her, as a result, she died during course of treatment in Sadar hospital.

4. It is submitted that specific allegation of assault is against co-accused Munna Ansari who is said to have hit on the head of the deceased with *khanti*. Petitioners are only alleged to



have assaulted with fists and slaps and are falsely implicated in this case merely because petitioner No. 1 is brother-in-law and petitioner No. 2 is sister of co-accused Munna Ansari. It is further submitted that from perusal of the F.I.R. it is clear that there is land dispute between informant and co-accused Munna Ansari for which the alleged scuffle took place. Petitioners have got clean antecedent.

5. Considering the fact that specific accusation of causing assault is against co-accused Munna Ansari, this anticipatory bail is allowed and it is ordered that let the above named petitioners in the event of their arrest/surrender before the court below within a period of six weeks from today, 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 Chief Judicial Magistrate, Purnea in connection with Amour P. S. Case No. 93 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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