

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49863 of 2023

Arising Out of PS. Case No.-43 Year-2023 Thana- MATIHANI District- Begusarai

1. Madan Roy, Son Of Late Devan Roy Resident Of Village- Rachiyahi Purana Tol, Ps- Matihani, Distt- Begusarai
2. Kapildev Roy, Son Of Late Devan Roy Resident Of Village- Rachiyahi Purana Tol, Ps- Matihani, Distt- Begusarai
3. Mantun Roy, Son Of Kapildev Roy Resident Of Village- Rachiyahi Purana Tol, Ps- Matihani, Distt- Begusarai

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Ramakant Akela

For the Opposite Party/s : Mr. Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 02-08-2023 1. Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 323, 341, 504, 506, 307 read with Section 34 of the Indian Penal Code.

3. The learned counsel for the petitioners submits that the petitioner nos.1 and 3 are persons with clean antecedent and petitioner no.2 has antecedent of one case and the informant alleges that Santosh Roy assaulted her husband with iron rod causing injury over head and nose. Thereafter, Jyoti and Babita assaulted her with lathi and her husband was brought to the hospital for treatment.



4. The learned counsel for the petitioners submits that from perusal of the allegation as alleged in the F.I.R., it would manifest that specific allegation of assault is against Santosh Roy and the petitioners though are alleged to be present at the present of occurrence, but then, no overt act of committing assault is alleged against them.

5. Learned A.P.P. opposes the bail application.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Miss Ruby Kumari, the learned Judicial Magistrate, 1st Class, Begusarai in connection with Matihani P. S. Case No.43 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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