

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59887 of 2023

Arising Out of PS. Case No.-270 Year-2022 Thana- MOHAMMADPUR District- Gopalganj

1. Rinku Devi Wife Of Vijay Rai Resident Of Village-Dumariya, Ps-Mohammadpur, Dist- Gopalganj
2. Suganti Devi Wife Of Ashok Rai Resident Of Village-Dumariya, Ps-Mohammadpur, Dist- Gopalganj
3. Bhikham Rai Son Of Manbodh Rai Resident Of Village-Dumariya, Ps-Mohammadpur, Dist- Gopalganj
4. Ashok Rai Son Of Manbodh Rai Resident Of Village-Dumariya, Ps-Mohammadpur, Dist- Gopalganj
5. Vijay Rai @ Vijay Kumar Yadav Son Of Manbodh Rai Resident Of Village-Dumariya, Ps- Mohammadpur, Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Naresh Prasad, Advocate
For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 27-09-2023 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

3. The Petitioners are apprehending their arrest in connection with Mohammadpur P.S. Case No. 270 of 2022 dated 14.11.2022 registered for the offences punishable under Sections 341, 323, 324, 325, 307, 379, 504, 506/34 of the Indian



Penal Code.

4. As per the prosecution case, on 09.11.2022, while the informant was returning to his home, on the way, all the FIR named accused persons including the petitioners surrounded him and began to abuse. On the protest by the informant all the co-accused persons assaulting him and Manbodh Rai gave Tangi blow on his head causing head injury. When his son and wife came to save him then all the accused persons committed Mar-pit with them. The co-accused Santosh Rai assaulted his son with iron rod causing broken injury on his shoulder and head and Usha Devi assaulted his wife with rod and Reeta Devi snatched Mangal Sutra and ear-ring from his daughter-in-law.

5. Learned counsel for the petitioners have submitted that the petitioners are innocent and have falsely been implicated in this case. There is general and omnibus allegation against all the petitioners and the specific allegation is against Manbodh Rai. The injury sustained by the injured is simple in nature which is caused by hard and blunt substance. There is free fight between the parties. The petitioners have clean antecedent as stated in Para-3 of the bail petition.

6. Learned A.P.P for the State has opposed the prayer for anticipatory bail of the petitioners.



7. Considering the aforesaid facts and circumstances as well as submissions of the parties, let the above named petitioners, in the event of their arrest/ surrender within six weeks from the date of receipt of this order to the court concerned, be released on anticipatory bail on furnishing bail bonds of Rs 20,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of the Learned Additional Chief Judicial Magistrate-VII, Gopalganj in Mohammadpur P.S. Case No. 270 of 2022 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Chandra Prakash Singh, J)

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