

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63304 of 2023

Arising Out of PS. Case No.-57 Year-2023 Thana- PHULWARIA District- Begusarai

1. Rajnandini Kumari, aged about 24 years (female), daughter of Shatrughna Sah,
2. Neelam Devi, aged about 46 years (female), wife of Shatrughna Sah,
3. Shatrughna Sah, aged about 56 years (Male), son of Shankar Sah,
4. Lal Babu Sah @ Lal Babu Kumar, aged about 28 years (Male), son of Shatrughna Sah,
5. Chhote Sah @ Chhotu Kumar, aged about 21 years (Male), son of Shatrughna Sah,
All resident of village- Bishhar Asthan Naya Tola, Ward No. 18, PS-
Fulwaria, Distt- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anshu Dhar Sharma, Advocate Ms. Namita Sharma, Advocate
For the State	:	Mr. Md. Matloob Rab, APP
For the Informant	:	Mr. Raj Kumar Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 06-12-2023 Heard learned counsel for the petitioners; learned

Additional Public Prosecutor for the State as well as learned

counsel for the informant, who has appeared *suo motu*.

2. The petitioners apprehends arrest in connection

with Fulwariya PS Case No.57 of 2023 dated 07.04.2023,

instituted under Sections 341, 323, 307, 504/34 of the Indian

Penal Code.

3. The prosecution case, in short, is that petitioner

nos. 1 and 2 abused the informant's daughter and assaulted her



by holding her hair. When the informant went there to save his daughter then other accused persons assaulted him with *lathi*, iron rod. Petitioner no.3 is alleged to have assaulted the informant with iron rod causing head injury. Petitioner no. 5 is alleged to have the informant's wife on her head. Petitioner no. 4 is alleged to have assaulted the informant's daughter on her head.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. It is further submitted that there is case and counter case between the parties. It is also submitted that both the parties are agnates and close door neighbours. It is also submitted that from perusal of the FIR it is evident that there was free fight between the parties and both parties have sustained injuries in the occurrence. Learned counsel further submits that injuries on the person of all the injured are found to be simple in nature. Lastly, it has been submitted that the petitioners have no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within



six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai, in Fulwariya PS Case No.57 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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