

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60540 of 2023

Arising Out of PS. Case No.-12 Year-2023 Thana- ADHAOURA District- Kaimur (Bhabua)

1. Ram Surat Musahar S/O Magaru Musahar R/O Village- Pipara, Ps. Adhoura, Dist. Kaimur At Bhabua
2. Sukau Musahar S/O Magaru Musahar R/O Village- Pipara, Ps. Adhoura, Dist. Kaimur At Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 22-09-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek regular bail in connection with Adhoura P.S. Case No. 12 of 2023 registered for the offence under Sections 341, 504, 323, 307, 302, 34 of the Indian Penal Code.

3. As per prosecution case, on 8.3.2023 some scuffle took place between the petitioners and the deceased as a result of which, the petitioners assaulted the deceased/ husband of the informant by leg & fists. Thereafter on the next of occurrence, the husband of the informant died.

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



have falsely been implicated in this case. It is also submitted that on 8.3.2023 the petitioners are alleged to have assaulted the deceased by legs & fists but no complaint was lodged for the said occurrence. Unfortunately, on next day i.e. 9.3.2023, husband of the informant died due to brain haemorrhage but the petitioners have been made victim by lodging this case. According to the postmortem report annexed as Annexure-2, it appears injury no.1 & 2 are simple in nature caused by blunt object whereas the petitioners are said to have assaulted the deceased by legs & fists. The petitioners have no intention to kill the informant's husband. The petitioners have got no criminal antecedent as stated in para-3 of the bail petition. It is further submitted that the petitioners are languishing in judicial custody since 14.3.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody period of the petitioners, this court is inclined to enlarge them on bail. The above named petitioners are directed to be released on bail in connection with Adhaura P.S. Case No. 12 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) each



with two sureties of the like amount each to the satisfaction of
learned Addl. Chief Judicial Magistrate, VII, Kaimur at
Bhabhua.

(Sunil Kumar Panwar, J)

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