

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63254 of 2023

Arising Out of PS. Case No.-148 Year-2023 Thana- MANJHI District- Saran

1. CHANDAN PRASAD @ CHANDAN KUMAR SON OF HUKUMLAL PRASAD @ HUKUMLAL BIN R/O SONBARSA KE MATHIYA P.S. MANJHI, DIST- SARAN
2. CHANDRA SHEKHAR PRASAD @ CHANDRASHEKHAR BIN S/O HUKUMLAL PRASAD @ HUKUMLAL BIN R/O VILLAGE-SONBARSA KE MATHIYA P.S. MANJHI, DIST- SARAN
3. MANSHEKHAR PRASAD @ MANSHEKHAR KUMAR S/O HUKUMLAL PRASAD @ HUKUMLAL BIN R/O VILLAGE-SONBARSA KE MATHIYA P.S. MANJHI, DIST- SARAN
4. HUKUMLAL PRASAD @ HUKUMLAL BIN S/O TEJNARAYAN BIN R/O VILLAGE- SONBARSA KE MATHIYA P.S. MANJHI, DIST- SARAN
5. GIRJA DEVI W/O HUKUMLAL PRASAD @ HUKUMLAL BIN R/O VILLAGE- SONBARSA KE MATHIYA P.S. MANJHI, DIST- SARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Adv.
For the Opposite Party/s : Mr. Asha Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 17-10-2023 Heard learned counsel for the petitioners, learned
counsel for the informant and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Manjhi P.S. Case No. 148 of 2023, dated 13.05.2023, registered for the offence punishable under Sections 341, 323, 324, 504, 307, 506/34 of the Indian Penal Code.

3. The case of prosecution, in short, is that on 13.05.2023 father-in-law of informant was coming home, when



four persons, who are petitioner no 1 to 4, started beating him and tried to strangle him by pressing bamboo stick on his neck. On alarm, informant and others came out of the house, then they also beaten these persons. Informant went inside the house, when the accused persons started beating. They broke open the lock of the gate on roof of the staircase. Girija Devi also assaulted informant's mother-in-law and other family members. Accused persons dragged her out and assaulted her with pounder and bricks and she fell down unconscious, who was treated at government hospital and referred to Chapra Sadar Hospital for better treatment.

4. Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in this case. Both the sides are close agnates and next door neighbours. It is submitted that there is dispute of gali and chajja of the house between both the parties. There is case and counter case. The accused Manshekhar has received injury and on his fardbeyan at Sadar Hospital, Chapra, Manjhi P.S. Case No. 153 of 2023 has been lodged against the informant and her family members. It appears from the injury report that the nature of injury is simple, caused by hard and blunt substance. The petitioners have no criminal antecedents.



5. Learned A.P.P. for the informant has vehemently opposed the prayer for bail to the petitioners.

6. Having considered the facts and circumstances of the case and the submissions of learned counsel for the parties, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Saran at Chapra in connection with Manjhi P.S. Case No. 148 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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