

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76861 of 2023

Arising Out of PS. Case No.-180 Year-2022 Thana- CHANAN District- Lakhisarai

1. TRIBENI MANDAL S/o Dwarika Mandal R/o village- Gopalpur, P.S.- Chanan, District- Lakhisarai
2. Gango Mandal S/o Dwarika Mandal R/o village- Gopalpur, P.S.- Chanan, District- Lakhisarai

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jai Prakash Singh, Advocate

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 04-12-2023 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in Chanan P.S. case No. 180 of 2022 instituted for the offences under Sections 341, 342, 147, 148, 149, 447, 448, 452, 323, 324, 325, 307, 379, 427 and 302 of the Indian Penal Code.

3. Prosecution allegation, in short, is that the accused persons including the petitioners, variously armed, came to the shop of the informant and pulled his son and thereafter assaulted him due to which he sustained injury and later succumbed to the injury. When the informant came in rescue, he was also assaulted by them.

4. It has been submitted on behalf of the petitioners that the petitioners are in custody since 05.04.2023 and have criminal



antecedents. Charge-sheet has been submitted in this case. The petitioners have falsely been implicated in the present case. Learned counsel for the petitioners submits both parties are co-villagers and that there is land dispute between the parties. Specific allegation of assault is alleged against co-accused. Co-accused have been granted bail by a Coordinate Bench of this Court vide order dated 23.08.2023 passed in Cr. Misc. No. 24912 of 2023 and vide order dated 21.06.2023 passed in Cr. Misc. No. 16280 of 2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case and that the co-accused of this case have already been granted bail by a Coordinate Bench of this Court, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Chanan P.S. case No. 180 of 2022.

(Rudra Prakash Mishra, J)

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