

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76526 of 2023

Arising Out of PS. Case No.-482 Year-2023 Thana- HARSIDHI District- East Champaran

1. Munni Khatoon W/O Amrullah Miya @ Amrullah R/O Village- Chadahiya, Ps. Harsidhi, Dist. East Champaran
2. Jarina Khatoon @ Jehrina Khatoon W/O Md. Arshad Alam R/O Village- Chadahiya, Ps. Harsidhi, Dist. East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 18-12-2023 Heard learned counsel for the petitioners and the learned APP for the State.

2. The petitioners are apprehending their arrest in a case in connection with Harsidhi PS Case No. 482 of 2023 dated 29.07.2023, registered for the offences punishable under Sections 341, 323, 302, 504 and 34 of the Indian Penal Code.

3. As per the prosecution case, when the informant raised objection, on the order of accused Jikirullah, all accused persons assaulted the grandson of informant, namely Ashif, due to which he sustained serious injuries. When the nearby persons came, the accused persons fled away. Thereafter, the informant took his grandson to Sadar Hospital, Motihari, where doctor referred him to Muzaffarpur and thereafter, the grandson of informant was referred to PMCH, Patna, where doctor declared the grandson of the informant dead.

4. Learned counsel for the petitioners has submitted that the petitioners are quite innocent and have falsely been implicated in the present case and the allegations levelled against 13 named and 15-20 unknown persons of assaulting the informant's grandson is are general and omnibus in nature. It is further submitted that the petitioners have no criminal antecedent and the petitioner no. 1 is a lady of 70 years of age. It is further submitted that the *post-mortem* report does not corroborate the allegation of assault levelled against 13 named accused person and 15-20 unknown persons.

5. Learned APP for the State has vehemently opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances as well as the nature of allegation against the petitioners who are ladies, let the petitioners named-above, in the event of their arrest / surrender within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of learned JM-I, Motihari, East Champaran, in connection with Harsidhi PS Case No. 482 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

7. This application stands allowed.

(Chandra Prakash Singh, J)

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