

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76000 of 2023

Arising Out of PS. Case No.-493 Year-2023 Thana- HARSIDHI District- East Champaran

1. CHAND MOHAMMAD MIAN S/O AMIR MIAN VILLAGE-MANIKPUR, PS. HARSIDHI, DIST. EAST CHAMPARAN
2. MD. KAUSHAR @ KAUSHAR ALAM S/O SOHRAB ANSARI VILLAGE- MANIKPUR, PS. HARSIDHI, DIST. EAST CHAMPARAN
3. HALIM MIAN S/O JUMAN MIAN VILLAGE- MANIKPUR, PS. HARSIDHI, DIST. EAST CHAMPARAN
4. SALAUDDIN MIAN @ SALAMUDIN S/O HANIF MIAN VILLAGE-MANIKPUR, PS. HARSIDHI, DIST. EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Govind Mishra
For the Opposite Party/s : Mr.Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 18-12-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case in connection with Harsidhi P.S. Case No. 493 of 2023 dated 03.08.2023 registered for the offences punishable u/ss 341, 323, 354(A)(B), 324, 307, 504 read with section 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioners entered the room of the informant and the petitioner no. 1 outraged her modesty. On being protested by the victim then the petitioner



no. 1 cut her neck with knife and the other accused persons assaulted her by feet. On *hulla*, her family members came to rescue her then the accused persons fled away from the spot. Thereafter, the informant was taken to the hospital for treatment.

4. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. There is a case and counter case between the parties. It is further submitted that there is land dispute between the informant's husband and the petitioners. As per injury of the injured, the injury is lacerated wound on upper part of neck caused by hard and blunt substance. The petitioner no. 1, 2 and 3 have one criminal antecedent whereas the petitioner no. 4 has no criminal antecedent as stated in para 3 of the bail petition.

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

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioners, let the above named petitioners, 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 court concerned, East



Champaran, Motihari in connection with Harsidhi P.S. Case No.
493 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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