

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30823 of 2024

Arising Out of PS. Case No.-71 Year-2024 Thana- PHULWARIYA District- Gopalganj

1. Jalaluddin Nat @ Jalaluddin Alam, Gender-Male, aged about 35 years, son of Vahir Nat, Resident of Village-Jamuna Dih P.S.- Phulwaria District-Gopalganj.
2. Monu Nat @ Manu Nat, Gender-Male, aged about 24 years, son of Samsul Nat @ Samsul Haque, Resident of Village- Harihans Uttar Tola, P.S.- Hussainganj District- Siwan at present Village- Jamuna Dih P.S.- Phulwaria District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Rakesh Kumar Shrivastava, Advocate
For the Opposite Party/s :	Mr. Vinod Shanker Modi, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 25-04-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in connection with Phulwaria P.S. Case No. 71 of 2024 instituted for the offences punishable under Sections 341,323,325,354,307,504,506 and 34 of the Indian Penal Code.

3. As per the prosecution case, informant is father-in-law of petitioner no. 1 and while the family of the informant was returning from fair, the informant saw that petitioner no. 1 was brutally assaulting informant's daughter. On seeing that the daughter of the informant was being beaten up, he and his family members objected to that, for that, the family members



along with the informant were also assaulted by the petitioners and other co-accused persons.

4. Learned counsel for the petitioners submits that the petitioner are innocent and have committed no offence and have falsely been implicated in this case due to petty dispute. He further submits that petitioners are close relative to the informant. There is case and counter case attributed between the parties. Petitioners have got no criminal antecedent as stated in para 3 of the petition and is in custody since 18.02.2024.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and impugned order of the learned Additional Sessions Judge-IX, Gopalganj dated 03.04.2024, it appears that petitioners are named in the FIR. From perusal of the records as well as injury report produced by the petitioners' counsel, it appears that on the basis of written report of the informant, FIR has been registered under Sections 341, 323, 325, 354, 307, 504, 506/34 of the Indian Penal Code against four named accused persons including the petitioners. From perusal of the injury report, it appears that the injures on the informant (Alauddin Nat) his wife (Gulshan Khatoon) and daughter namely Sunita Khatoon were examined by the doctor and the injuries are found simple by the doctor. The injury



reports of three persons namely Sunita Khatoon Alauddin Nat and Gulshan Khatoon are abrasion present in right temporal region of scalp, abrasion present over forehead, Tenderness with swelling with restricted on left right finger and cut lacerated of size 1cmx 0.5 cm skin depth in parietal region of scalp and the opinion of the doctor is that all the injures are caused by hard and blunt substance and all are simple in nature. Considering all these aspects of the matter, the prayer for bail of the petitioners are allowed. Let the petitioners above named 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 the learned A.C.J.M.-XVI, Gopalganj in connection with Phulwaria PS Case No. 71 of 2024.

(Ramesh Chand Malviya, J)

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