

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32384 of 2024

Arising Out of PS. Case No.-211 Year-2023 Thana- FALKA District- Katihar

1. Md. Manish, Male, aged about 25 years, son of Md. Munna, R/o village- Morsanda, P.S.- Falka, Dist.- Katihar.
2. Bibi Chando Khatoon, Female, D/o Md. Alam, R/o village- Morsanda, P.S.- Falka, Dist.- Katihar.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Suresh Prasad Sah, Advocate
For the Opposite Party : Mr. Jharkhandi Upadhyay, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 23-05-2024 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Falka P.S. Case No. 211 of 2023 dated 14.06.2023 registered for the offences punishable under Sections 341, 323, 307, 379, 504 and 506/34 of the I.P.C.

3. As per the prosecution case, the petitioners alongwith the co-accused persons assaulted the informant on demanding his dues money. The co-accused Md. Tahir assaulted him with bamboo stick and tried to kill him after strangulating his neck with towel. The petitioner no. 1 assaulted him with brick, others abused him and threatened to kill. Meanwhile, they



also snatched his silver jewellery.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have been falsely implicated in this case. It is further submitted that both parties are co-villagers and due to dirty village party politics, they have falsely been made accused in the present case. There is general and omnibus allegation against the petitioners. It is further submitted that the doctor has found the injury on the informant simple as 'lacerated wound present on frontal head 1"x1/3"x1/4"'. It is further submitted that no incriminating article has been recovered from possession of the petitioners. The petitioners have clean antecedent as stated in paragraph no. 3 of the bail application.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Katihar in connection with Falka P.S. Case No. 211 of 2023, subject to the



condition as laid down under Section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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