

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35790 of 2024

Arising Out of PS. Case No.-61 Year-2021 Thana- UDWANTNAGAR District- Bhojpur

1. Ram Ishawar Musahar, son of Late Ghurahu Musahar Vill- Belaur Ps-
Udawanatnagar Dist- Bhojpur
2. Munna Mushahar, son of Ram Ishawar Musahar Vill- Belaur Ps-
Udawanatnagar Dist- Bhojpur
3. Ashok Musahar, son of Ram Ishawar Musahar Vill- Belaur Ps-
Udawanatnagar Dist- Bhojpur
4. Prakash Musahar, son of Ram Ishawar Musahar Vill- Belaur Ps-
Udawanatnagar Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhat Kumar Singh, Advocate

For the Opposite Party/s : Ms.Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 10-07-2024 Heard learned Counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending arrest in connection with Udawanatnagar P.S. Case No. 61 of 2021 registered on 04.02.2021 for the offences punishable under Sections 147, 149, 452, 323, 307, 302 and 504 of the Indian Penal Code.

3. As per prosecution, the FIR has been lodged against seven named accused persons including the present petitioners against whom there is an allegation that they came at



the house of the informant and assaulted the husband of the informant, as a result of which, he got injured and subsequently, in course of treatment, he died.

4. It is submitted by learned counsel for the petitioners that the petitioners are innocent and have committed no offence. From bare perusal of the FIR, it is crystal clear that the alleged occurrence of assault took place on 30.01.2021 whereas the present FIR has been lodged before the police on 04.02.2021. Learned counsel further submits that the other accused persons have been granted bail by a co-ordinate Bench of this Court vide order dated 22.12.2023 passed in Criminal Miscellaneous No. 36667 of 2023 whereas Usha Devi has been granted bail by this Court vide order dated 26.09.2022 passed in Criminal Miscellaneous No. 37938 of 2021. Moreover, the post report has also not supported the story of the informant.

5. Learned APP for the State opposes the prayer for bail of the petitioners.

6. In the facts and circumstances, let the above named petitioners be released on bail, in the event of arrest or surrender before the learned Court below within a period of 6 weeks from today, on furnishing bail bond of ₹30000/- (thirty thousand) each with two sureties of the like amount each to the satisfaction



of the A.D.J. VIII, Bhojpur at Ara, in connection with
Udawanagar P.S. Case No. 61 of 2021, subject to the
conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J)

Ashwini/-

U		T	
---	--	---	--

