

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.39857 of 2024**

Arising Out of PS. Case No.-637 Year-2021 Thana- BARHARA District- Bhojpur

Mantu Mia @ Mantula Mia Son of Osi Mia Resident of Village- Chinegano  
Tola (Gajiyapur), P.S.- Barhara, Distt- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Nil Kamal, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

2      04-06-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Barhara P.S. Case no.637 of 2021 registered under sections 302, 307, 354, 379, 341, 323, 448 and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states that three named accused persons including the petitioner herein entered her house, started to abuse and assaulted the informant's mother-in-law. As a result of assault by accused, Budhia Khatoon, the mother-in-law of the informant sustained injuries and subsequently died in course of treatment. It is further stated that so far as this petitioner is concerned, he tore the cloths of the informant. The accused also took away various articles, value of which has been mentioned in the F.I.R.



4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. The manner of occurrence is other than what has been narrated in the F.I.R. There is an unexplained delay of four days in lodging of the F.I.R. In spite of the delay, the allegation of assault on the deceased mother-in-law of the informant is not on this petitioner but on the co-accused. The petitioner is in custody since 4.1.2024 and has no criminal antecedent.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the F.I.R., the allegation of assault on the deceased not being on this petitioner, his being in custody for 5 months since 4.1.2024 and chargesheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Barhara P.S. Case no.637 of 2021 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur at Ara.

**(Partha Sarthy, J)**

Saurabh/-

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