

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45809 of 2024

Arising Out of PS. Case No.-24 Year-2022 Thana- PAHARPUR District- East Champaran

Munni Lal Prasad @ Munni Lal Prasad Kushwaha S/o Prayag Mahto R/o vill
- Mankarariya, P.S. - Paharpur, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Rashmi Jha Mr. Abhishek Kumar
For the Opposite Party/s	:	Mr. Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 05-10-2024 1. Heard learned counsel for the petitioner and learned APP for the State.
2. The petitioner seeks bail in a case registered for the offences punishable under Sections 341, 323, 504, 306 and 34 of the Indian Penal Code and Section 67(C) of the I. T. Act.
3. The learned counsel for the petitioner submits that the petitioner is in custody since 18.04.2024 and he is a person with clean antecedent and charge-sheet has been submitted in this case. It is next submitted that informant alleges that one Brinda Lal had Prasad come to his house in the night and stayed there. In the morning, the named



accused persons along with 25-30 unknown came and surrounded the house of the informant and asked the informant to come out and when he came out, he was abused on the pretext that Brinda Lal, who had come to his house in the night had illicit relation with his daughter, thereafter the daughter of the informant was also called out by the accused persons including the petitioner and thereafter, Brinda Lal was also asked to come out of the house and the daughter of the informant was asked to assault Brindalal with slipper, on which the victim assaulted Brindalal with slipper and the said act was videographed and made viral. It is next alleged that when victim saw herself assaulting Brindalal with slipper, she lost her mental balance for the reason that she felt that her character was associated by the accused persons including the petitioner as they levelled that she was a lady of easy virtue and had relation with Brindalal, who had come to her house and spent the night, as such, feeling demeaned, the victim committed suicide.

4. The learned counsel for the petitioner submits that from perusal of the allegation as alleged in the F.I.R., it



would manifest that no overt has been alleged against the petitioner rather it was *Sarpanch* Urmila Devi, on whose orders the accused persons including the petitioner had accompanied her to the house of the informant where the occurrence is alleged to have taken place. It is thus submitted that since accused persons including the petitioner accompanied Urmila Devi, the Sarpanch, as such, he came to be implicated. It is next submitted that Urmila Devi has been granted the privilege of regular bail by an order dated 17.02.2023 in Cr. Misc. No.68608 of 2022 passed by a learned Coordinate Bench. It is also submitted that petitioner will not abscond rather will cooperate in the trial to prove his innocence.

5. Learned A.P.P. opposes the bail application.

6. Considering the submissions made by the learned counsel appearing on behalf of the petitioner, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Paharpur P. S.



Case No.24 of 2022.

7. The application stands allowed.

8. However, in the event, if the learned trial Court comes to a conclusion that the petitioner after his release is trying to delay the trial in any manner, the learned trial Court shall forthwith cancel his bail bonds after recording reasons.

(Satyavrat Verma, J)

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