

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69072 of 2024

Arising Out of PS. Case No.-496 Year-2023 Thana- MADHUBAN District- East Champaran

1. Ram Balak Prasad
 2. Shiv Shankar Prasad @ Shankar Prasad
 3. Raja Prasad
- All are Sons of Late Sahdev Bhagat, All are Resident of Village - Ward No. 09, Bara Pakar Dulma, P.S. - Madhuban, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhurendra Kumar, Advocate
For the Opposite Party/s : Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 18-10-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Madhuban P.S. Case No.496 of 2023 instituted for the offence under Sections 447, 448, 341, 325, 307, 504, 506, 379/34 of the Indian Penal Code.

3. The case of the prosecution is that all the petitioner restrained the brother-in-law of the informant and assaulted with lathi and butt of country made pistol. In second part of the impugned order it has been stated that all the accused persons



arrived at the house of the informant and assaulted the informant and her husband.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have falsely been implicated in this case. It is further submitted that the occurrence is of 23.09.2023, whereas the FIR was lodged on 07.10.2023 and there is no explanation of delay. It has also been submitted that prior to this case, FIR was filed by one of the co-accused and this case is merely a counter blast. The nature of the allegation is general and omnibus.

5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioner.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Madhuban P.S. Case No.496 of 2023, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) **each** with two sureties of the like amount each to the satisfaction of learned Chief Judicial



Magistrate, East Champaran, Motihari subject to the conditions
as laid down under section 438(2) of the Cr.P.C.

7. Accordingly, the present bail application stands
allowed.

(Ashok Kumar Pandey, J)

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