

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77612 of 2023

Arising Out of PS. Case No.-303 Year-2023 Thana- RAJAOLI District- Nawada

1. Md. Isryeal @ Israyel Mansrui @ Md. Mannsrul @ Israyel Mansuri Son Of Md. Ishak Village- Khijua Ps- Rajouli Dist- Nawada
2. Md. Sohrab @ Sohrab Mansuri @ Md. Sobrab Mansuri Son Of Md. Israyel @ Isayel Mansrui @ Md. Mannsrul @ Israyel Mansuri Village- Khijua Ps- Rajouli Dist- Nawada
3. Samir Mansuri @ Md. Bahadur Mansuri @ Md. Samir Mansuri Son Of Md. Israyel @ Isayel Mansrui @ Md. Mannsrul @ Israyel Mansuri Village- Khijua Ps- Rajouli Dist- Nawada
4. Samshul Haque @ Samsul Mansuri Son Of Md. Alijan Village- Khijua Ps- Rajouli Dist- Nawada
5. Md. Mahtab @ Md. Mahtab Mansuri Son Of Md. Bali Village- Khijua Ps- Rajouli Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Man Mohan Kumar
For the Opposite Party/s : Mr. Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 11-01-2024 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

3. The petitioners are apprehending their arrest in connection with Rajouli P.S Case No. 303 of 2023 dated 19.05.2023 registered for the offences punishable under



Sections 341, 323, 307, 354, 504, 506 read with 34 of the Indian Penal Code.

4. As per the prosecution case, the informant saw his neighbor, the petitioner No. 1 shouting outside his house and when the informant asked, then the petitioner no. 1 and his family started abusing him. Thereafter, the petitioners and the co-accused persons with various arms assaulted the informant causing fracture injury on his right wrist and injury on the right side of his head. In the meantime, when the sons and wife of the informant came to rescue, the accused persons assaulted them. Further, the accused Afroj Khatoon, Jhumri and Neha caught hold of hair lock of the informant's wife and pressed her neck.

5. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. The petitioners have no criminal antecedent as stated in para 3 of the bail petition. There is general and omnibus allegation against the petitioners. There is case and counter case between both the parties. Learned counsel has further submitted that there are two injuries found on the body of the informant one is lacerated wound over right parital region of head and other is abrasion on arm and knee. There is a delay of 6 days in lodging the FIR.



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

7. 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/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Nawada in connection with Rajouli P.S Case No. 303 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

8. This application stands allowed.

(Chandra Prakash Singh, J)

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