

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78377 of 2023

Arising Out of PS. Case No.-392 Year-2023 Thana- MOTIHARI MUFASIL District- East
Champaran

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1. BABURAM PRASAD SON OF LATE LAXUMAN PRASAD RESIDENT OF VILLAGE- GODHWA, P.S.- MUFFASIL, DISTRICT- EAST CHAMPARAN
 2. MANOJ PRASAD SON OF BABURAM PRASAD RESIDENT OF VILLAGE- GODHWA, P.S.- MUFFASIL, DISTRICT- EAST CHAMPARAN
 3. ASHOK PRASAD SON OF BABURAM PRASAD RESIDENT OF VILLAGE- GODHWA, P.S.- MUFFASIL, DISTRICT- EAST CHAMPARAN
 4. PRAMOD PRASAD SON OF BABURAM PRASAD RESIDENT OF VILLAGE- GODHWA, P.S.- MUFFASIL, DISTRICT- EAST CHAMPARAN
 5. ASHA DEVI WIFE OF MANOJ PRASAD RESIDENT OF VILLAGE- GODHWA, P.S.- MUFFASIL, DISTRICT- EAST CHAMPARAN
 6. PUNKALI DEVI WIFE OF BABURAM PRASAD RESIDENT OF VILLAGE- GODHWA, P.S.- MUFFASIL, DISTRICT- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar , Advocate
For the Opposite Party/s : Mr. Akhileshwar Dayal , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 4 09-04-2024 The anticipatory bail application of the petitioner
No. 1 has already withdrawn vide order dated 10.01.2024 .
2. Heard learned counsel for the petitioner Nos. 2 to
5 and the State .
- 3 . Petitioner Nos. 2 to 5 apprehend their arrest in a
case registered for the offence punishable under sections 341 ,



323 , 324, 325 , 379, 354(A), 447, 504 and 34 of the Indian Penal Code .

4. As per the prosecution case , petitioner Nos. 2 2 and 3 assaulted the husband of the informant by means of *tinguli* and so far are petitioners Nos. 4, 5 and 6 are concerned they abused and caught the hair of the informant and pulled her down as well as assaulted her with fists and slap .

5 . It is submitted on behalf of the petitioners that so far as petitioners Nos. 4, 5 and 6 are concerned there is general and omnibus allegation against this petitioner. Rest of the allegation is ornamental in nature . They are falsely implicated in this case due to old land dispute . Petitioners claim clean antecedent.

6. However, learned counsel for the State oppose the bail petition and submits that injury caused by petitioner Nos. 2 and 3 is grievous in nature .

7. Considering the general and omnibus allegation against petitioner Nos. 4, 5 and 6 and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner Nos. 4, 5 and 6, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction



of the learned Chief Judicial Magistrate , East Champaran ,
Motihari in connection with Muffasil P.S. Case No. 392 of
2023 , subject to the conditions laid down under section 438(2)
of the Code of Criminal Procedure .

8 . Considering the nature of injury caused by
petitioner Nos. 2 and 3 and other circumstance of the case , the
pre-arrest bail petition of the petitioner Nos. 2 and 3 are
rejected.

(Prabhat Kumar Singh, J)

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