

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83449 of 2023

Arising Out of PS. Case No.-185 Year-2023 Thana- MADHEPUR District- Madhubani

FIROJ MANSURI SON OF JABBAR MANSURI R/O VILLAGE- PIPRA,
P.S.- MADHEPUR, DISTRICT- MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 81373 of 2023

Arising Out of PS. Case No.-185 Year-2023 Thana- MADHEPUR District- Madhubani

1. Nur Mohammad Mansuri Son Of Jabar Mansuri Resident Of Village- Pipra, Ps- Madhepur Distt- Madhubani
2. Naushad Mansuri Son Of Jabaar Mansuri Resident Of Village- Pipra, Ps- Madhepur Distt- Madhubani
3. Sahil Mansuri Son Of Nur Mohammad Resident Of Village- Pipra, Ps- Madhepur Distt- Madhubani
4. Idrish Mansuri Son Of Late Abdul Mansuri Resident Of Village- Pipra, Ps- Madhepur Distt- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 83449 of 2023)

For the Petitioner/s : Mr.Ravi Prakash

For the Opposite Party/s : Mr.Rina Sinha

(In CRIMINAL MISCELLANEOUS No. 81373 of 2023)

For the Petitioner/s : Mr.Ravi Prakash

For the Opposite Party/s : Mr.Rina Sinha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 02-05-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The instant applications for anticipatory bail have
been filed by the petitioners apprehending their arrest in
connection with Madhepura P.S. Case no. 185 of 2023 instituted



for the offence under Sections 341, 323, 307, 379, 354(B), 504, 506, 120(B) of the Indian Penal Codej and later on added section 302 of the I.P.C.

4. It is alleged that the petitioners along with co-accused persons forcibly entered in the house of informant and started assaulting due to which, Sanjita Khatoon and Munni Khatoon sustained injuries and during treatment, Sanjita Khatoon succumbed to injury.

5. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. From perusal of FIR, it is evident that there is general and omnibus allegations of assaulting the deceased against all the petitioners except petitioner Firoj and Nur Mohammad. It is also submitted the the occurrence took place on 23.7.2023 but the FIR was lodged on 24.7.2024 after lapse of one day. All the petitioners have got no criminal antecedents as stated in para-3 of their bail petition.

6. Learned APP appearing for the state has opposed the prayer of bail and submitted that there is specific allegation against the petitioners Firoj Mansuri and Nur Mohammad Mansuri who assaulted to the deceased Sajida Khatoona due to which she succumbed to injury.



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 petitioner nos. 2, 3 & 4 namely, Naushad Mansuri, Sahil Mansuri, Idrish Mansuri on bail. The petitioners, above named, 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 Madhepur P.S. Case no. 185 of 2023, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Jhajharpur, Madhubani subject to the conditions as laid down under section 438(2) of the Cr.P.C.

7. So far as petitioner Firoj Mansuri (in Cr. Misc. No. 83449 of 2023) and petitioner no.1 (in Cr. Misc. No. 81373 of 2023) Nur Mohammad Mansuri are concerned, there is specific allegation of assaulting against them, this court is not inclined to enlarge them on bail and, as such, their prayer for bail stands rejected.

(Sunil Kumar Panwar, J)

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