

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1341 of 2024

Arising Out of PS. Case No.-61 Year-2023 Thana- HATHAURI District- Muzaffarpur

1. MITHILESH RAM son of Bachhan Ram Resident of village- Madhopur, p.s.- Hathauri, District- Muzaffarpur
2. KAMLESH RAM @ KAMLESH KUMAR son of Bachhan Ram Resident of village- Madhopur, p.s.- Hathauri, District- Muzaffarpur
3. BIBHA DEVI wife of Bhikhari Ram Resident of village- Madhopur, p.s.- Hathauri, District- Muzaffarpur
4. MALATI KUMARI D/o Bachhan Ram Resident of village- Madhopur, p.s.- Hathauri, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nachiketa Jha

For the Opposite Party/s : Mr. Jitendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 12-02-2024 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 Hathauri P.S. Case No. 61 of 2023, dated 25.03.2023, registered for the offences punishable u/s 323, 324, 307, 354, 448, 504, 506, 34 of the Indian Penal Code.

4. As per the prosecution case, the petitioners came to



the door of the informant and began to abuse her and on the instigation of Mithilesh Ram, Kamlesh Ram (petitioner no.2) threw her on the earth and began to assault her with fists and slaps and also pressed her neck with his leg. When the family members of the informant came to save her they too were assaulted. It is further alleged that on 06.12.2022, again the accused persons assaulted the informant and others due to which Nilam Devi sustained injury on her head.

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. It is further alleged that there is admitted land dispute between both the parties. No opinion has been mentioned regarding the nature of injury as stated in Para 8 of the bail petition.

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

7. Considering the aforesaid facts and circumstances of the case and the nature of allegations leveled against the petitioners, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on 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, Muzaffarpur, East in connection with Hathauri P.S. Case No. 61 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure with further condition:

- i. The petitioners are directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the prosecution will be at liberty to move for cancellation of his bail bond.

8. This application stands allowed

(Chandra Prakash Singh, J)

Ranjeet/-

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