

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No. 31191 of 2014**

Arising out of P. S. Case No. - 237 Year - 2013 Thana - PALIGANJ District - PATNA

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1. Manti Devi, W/o Suresh Pandit
  2. Rekha Kumari, W/o Amnendra Kumar
  3. Amit Kumar Ranjan, S/o Suresh Pandit, All are resident of village - Modihara, P.S. - Paliganj, District - Patna

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Tilak Sao, Advocate

For the Opposite Party/s : Mr. J. N. Thakur, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA**  
**ORAL ORDER**

2 29-01-2015

Heard the parties.

In this application for anticipatory bail the petitioners apprehend their arrest for the offence punishable under Sections 341, 323, 307, 379 and 354/34 of the Indian Penal Code.

There is counter version also and in this case the allegation against the petitioners is that petitioner no. 1 caught hold and petitioner no. 2 assaulted with Sandle and lathi whereas the petitioner no. 3 assaulted with lathi to the informant. The assault by Khanti is against co-accused Amarendra Kumar and not against the petitioners.

Submission is that the case of petitioners is earlier and then this case has been lodged as a counter blast. Due to family partition the occurrence has taken place. The injuries

caused by hard and blunt substance are simple in nature and for causing incised wound co-accused Amarendra Kumar is responsible and not the petitioners.

The learned A.P.P. as well as the learned counsel for the informant opposed the pre-arrest bail by submitting that the petitioners were also involved along with co-accused and, as such, they do not deserve pre-arrest bail.

In the facts and circumstances as stated above, considering that there is case and counter case and against the petitioners there is no allegation for causing incised wound and, as such, the petitioners, above named, in case of their arrest or surrender within two months from the date of receipt/production of a copy of this order shall be released on bail on execution of bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Danapur in connection with Paliganj P. S. Case No. 237 of 2013, subject to the conditions as laid down in Section 438(2) of the Cr.P.C.

**(Jitendra Mohan Sharma, J.)**

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