

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6298 of 2016

Arising Out of PS.Case No. -57 Year- 2015 Thana -KALER District- JEHANABAD

- =====
1. Supriya Kumari @ Rubi D/o Bharat Kumar Singh.
 2. Kumari Anamika alias Nicky D/o Bharat Kumar Singh.
 3. Meena Devi W/o Bharat Kumar Singh. All resident of Village- Kaler, P.S. Kaler, District- Arwal.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai, Advocate

For the Opposite Party/s : Mr. Murli Dhar (APP)

For the Informant : Mr. Gopal Krishna, Advocate

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 21-04-2016 Heard learned counsel for the petitioners, learned counsel for the informant and the learned A.P.P. for the State.

In pursuance to the order dated 06.04.2016, petitioner nos. 2 and 3, namely, Kumari Anamika @ Nicky and Meena Devi have appeared. Petitioner no.1 Supriya Kumari @ Rubi, daughter of petitioner no.3, Meena Devi could not appear, as she is suffering from fever. The informant, namely, Pushpa Devi along with her daughter, Archana Kumari has also appeared.

Both the petitioner no.3 and the informant are own *gotanies* and the petitioners apprehend their arrest in connection with Kaler P.S. Case No. 57 of 2015 registered for offence punishable under Section 307 and allied sections of the Indian

Penal Code.

The prosecution case, in brief, is that on the date of occurrence, all the accused persons assaulted the informant and on hearing hulla when daughter of the informant came to save the informant, petitioner no.3 assaulted her with iron bucket on her head, as a result of which, both informant and her daughter got injured and were admitted to Primary Health Centre, Kaler for treatment.

It has been submitted by the counsel for the petitioners that a counter case, bearing Kaler P.S. Case No. 56 of 2015 has been lodged by petitioner no.3 against the informant and her daughter. Both the parties are family members and due to dispute regarding property, petitioners' side and the informant's side are inimical to each other. It has been submitted by the learned counsel for the petitioners that every now and then both the parties indulge in altercation. Informant and her daughter have been granted the privilege of anticipatory bail in connection with Kaler P.S. Case No. 56 of 2015 by the learned District and Sessions Judge, Jehanabad.

However, learned A.P.P. for the State and the learned counsel for the informant submit that the petitioners are named in the First Information Report and hence, they oppose the prayer for

bail.

Be that as it may, since the petitioners' side and the informant's side are own family members, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of eight weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand only) each with two sureties of like amount each to the satisfaction of learned S.D.J.M., Arwal in connection with Kaler P.S. Case No. 57 of 2015, subject to the conditions as laid down under Section 438 (2) of the Cr. P.C.

However, petitioner no.3 and the informant, who are own *gotanies* and have appeared before me, undertake to live peacefully in their matrimonial house. In future, if Meena Devi, petitioner no.3 and Pushpa Devi, the informant indulge in similar nature of occurrence, learned Court below will be at liberty to deal with them severely in accordance with law.

(Nilu Agrawal, J.)

Arjun/-

U		T	
---	--	---	--