

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43559 of 2016

Arising Out of PS.Case No. -59 Year- 2016 Thana -CHIKSAUR District- NALANDA
(BIHARSHARIFF)

- =====
1. Jitendra Kumar, S/o late Nasib Lal Yadav
 2. Rajbanti Devi, W/o late Nasib Lal Yadav
 3. Soni Devi, W/o Jitendra Kumar

All are R/o Vill. Damodarpur, P.S. Chisaura, Dist. Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar

For the Opposite Party/s : Mr. Md. Nazir Ansari

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA

ORAL ORDER

2 05-10-2016

Heard learned counsel for the petitioners and the

learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Chiksaura P.S. Case No. 59 of 2016 registered under Sections 147, 149, 447, 448, 354(A), 341, 323, 504, 307 and 379 of the Indian Penal Code.

The accusation is that on 13.05.2016 at about 2:00 pm., petitioner no.1 Jitendra Kumar entered in the house of the informant Shanti Devi with bad intention and caught hold her daughter Ahilya Kumari. When she made protest, she was assaulted by iron rod. While another daughter of the informant Poonam Devi rushed to save her elder sister, she was also assaulted by him. When Suraj Kumar, son of the informant came

to know about the occurrence, he went to make complaint then he was also assaulted by petitioner Jitendra Kumar. Thereafter, all the accused persons including the petitioner nos. 2 and 3 came armed with lathi and danda and caused injury.

Learned counsel appearing on behalf of the petitioners submits that there is specific allegation against petitioner Jitendra Kumar to enter into the house of the informant with bad intention and caught hold her daughter Ahilya Kumar and on protest, she sustained injury at her head, but there is general allegation against the petitioner nos. 2 and 3, who are ladies, caused injury to her family members. Further submission is that at the time of occurrence, petitioners' side also sustained injury regarding which Chiksaura P.S. Case No. 60 of 2016 was instituted on the written report of petitioner no.2 for the offence under Sections 341, 323, 147, 149, 325, 337, 338 and 307 of the I.P.C.. Later on, section 302 of the I.P.C. was added due to death of injured Nasiblal Yadav, father of the petitioner no.1.

Having considered the facts and circumstances of the case, let the petitioners no.2, Rajbanti Devi and petitioner no.3 Soni Devi, be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each

with two sureties of the like amount each to the satisfaction of the A.C.J.M., Hilsa in connection with Chiksaura P.S. Case No. 59 of 2016, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

So far as petitioner no. 1 Jitendra Kumar is concerned, having considered the facts and circumstances of the case and nature of allegation, his prayer for anticipatory bail is rejected.

(Rajendra Kumar Mishra, J)

Shail/-

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