

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.9330 of 2016**

Arising Out of PS.Case No. -461 Year- 2015 Thana -GOPALGANJ CITY District- GOPALGANJ

1. Ragini Kumari, D/o Angad Singh  
2. Vibha Devi Wife of Harendra Singh  
3. Kundan Singh Son of Angad Singh  
All are resident of Village- Ekderwan, Police Station- Gopalganj, District-  
Gopalganj.

.... .... Petitioner/s

Versus

1. The State of Bihar

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

**Appearance :**

For the Petitioner/s : Mr. Tej Narayan Singh, Advocate  
For the Opposite Party/s : Mr. Renu Kumari (App)

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2 01-03-2016

Heard learned counsel for the petitioners and the  
State.

The petitioners are apprehending their arrest in a  
case registered for the offences punishable under Sections  
379, 323, 341, 307/34 of the Indian Penal Code and later  
on Section 302 of the Indian Penal Code was added.

The prosecution case is that on 31.11.2015 at  
7.30 P.M. co-accused Harendra Singh started abusing the  
brother-in-law (debar) of the informant Foolmala Devi, due  
to previous dispute between children of both sides. When  
the husband of the informant made protest for abusing,  
then co-accused Anand Singh inflicted farsha blow on the  
head of the husband of the informant Birendra Singh.



When informant went to pacify the matter then Harendra Singh pushed her on the ground, thereafter the petitioners started assaulting her, her husband and caused sharp cutting injury to the informant. When the brother-in-law of the informant Upendra Singh, Sanjay Singh, Dilip Singh came to rescue then Harendra Singh assaulted to Upendra Singh with bricks on his legs, Sanjay Singh assaulted to Dilip Singh on his arm. Petitioner no. 3 Kundan Singh snatched mangalsutra worth Rs. 20,000/- from the informant and Harendra Singh snatched Rs. 2,000/- from the pocket of informant's husband.

It is submitted by the learned counsel for the petitioners that for a petty dispute between the children of both sides accusation has been levelled. The specific accusation of assault to Birendra Singh is against co-accused Anand Singh. The injury and post-mortem report reflects only one injury, but there is no corresponding injury found either by the Doctor initially examined or by the Doctor who conducted Post-mortem. The injuries of the informant, her husband and brother-in-law Upendra Singh have been found to be simple in nature. There is counter version of the occurrence. Statement has been made in para-3 of the petition that petitioners have no criminal antecedent.

Considering the aforesaid facts, let the above named petitioners be released on bail in the event of their

arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Gopalganj Town P.S. Case No. 461 of 2015, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Dinesh Kumar Singh, J)**

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