

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42070 of 2017

Arising Out of PS.Case No. -423 Year- 2017 Thana -NAWADA District- NAWADA

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1. Renu Devi, wife of Ravi Shankar Singh
2. Ravi Shankar Singh @ Ravi Shankar Prasad, Son of Late Suresh Singh,
Both are Resident of Village- Siswa, P.S.- Nawada Town, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Arun

For the Opposite Party/s : Mrs. Smt Indu Kumari Srivastava

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 21-12-2017 Heard both sides.

The petitioners apprehend their arrest in Nawada Town P.S. case No. 423 of 2017 under Section 307 and some other Sections of the Indian Penal Code and under Section 27 of the Arms Act.

The informant named the petitioners and other accused persons and alleged that Bilo Devi and Renu Devi, petitioner No.1, assaulted the informant with sharp edged weapon causing injury on his head. Other accused persons also assaulted the informant and they gave fist blow on the left eye of the informant. At the fag end of the FIR the informant alleged that Ravi Shanker Singh, petitioner No2, exhorted Parshuram Singh to kill the informant. The accused persons are in the habit of lodging cases after cases.

Mr. Rama Kant Sharma, the learned senior counsel for the petitioners, submits that from perusal of the injury report it



would appear that one injury is swelling and blackening surrounding over left eye, which is not attributed to the petitioners. The informant alleged that the accused persons gave fist blow on his left eye. Bilo Devi and Renu Devi, petitioner No.1, are alleged to have assaulted the informant with sharp edged weapon (Chilohi) but only one injury over left forehead of dimension 2"x1/2" skin deep was found. The same appears to be simple in nature but the doctor has opined that the injury may cause endanger to life and opined the same to be grievous in nature but by no stretch of imagination the injury can be treated to be grievous in nature. The second injury caused by sharp edged weapon found on the person of the informant is firstly attributed to Bilo Devi, whose prayer for anticipatory bail has already been rejected vide order passed in Cr. Misc. No. 44001 of 2017.

On the other hand, the learned counsel for the informant and the learned APP vehemently opposed the prayer for anticipatory bail and submitted that two first information reports were lodged on the same date. Firstly, the uncle of the informant was brutally assaulted and when, after having received the information, the informant came to his house the accused persons also assaulted him. It is further submitted that both Bilo Devi and Renu Devi are alleged to have given blow with sharp edged weapon and it cannot be said that only Bilo Devi caused injury by sharp edged weapon. The case of petitioner stands on same footing as that of Bilo Devi, therefore, the petitioners do not deserve anticipatory bail.

It appears that the informant alleged that Bilo Devi and Renu Devi both assaulted him with sharp edged weapon causing injury on his head but from perusal of the injury report it



would appear that injury is incised wound over left forehead. No second injury is found on head of the informant caused by sharp edged weapon. The injury No.2 is said to have been caused by fist which is attributed to other accused persons. There is no allegation of assault against petitioner No.2.

Considering the facts aforesaid and the nature of allegation made against the petitioners, the petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/ production of a copy of this order are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in connection with Nawada Town P.S. case No. 423 of 2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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