

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.62217 of 2018

Arising Out of PS.Case No. -333 Year- 2018 Thana -GARKHA District- SARAN

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1. Lal Pandey, S/o late Bikram Pandey.
 2. Nanda Devi, W/o Lal Pandey. Both are Residents of Village Gauhar Basant, P.S. Garkha, District- Saran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Narendra Kumar Ray, Advocate.
For the State : Mr. Manoj Kumar, A.P.P.
For the Informant : Mr. Tej Pratap Singh, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-10-2018 Heard learned counsel for the petitioners, learned
counsel for the informant and learned counsel for the State.

The petitioners are apprehending their arrest in a case
for the offence registered under Sections 341, 323, 307, 337, 379
and 504/34 of the IPC.

The prosecution story, in brief, is that on 06.08.2018
around 8.00 A.M. when he was removing soil from the road in
front of his house petitioner no. 1 Lal Pandey forbade hurling
abuses and on protest, he caused injuries on his head, palm and
finger with Lathi. When his wife Rekha Devi came for rescue,
petitioner no. 2 Nanda Devi caused injury on her head with
Labada and also assaulted her with fists and feet. When his



daughter Chandani Kumari came for rescue, other petitioners caused injury on her left hand with *Lathi*, *Danda* and brick bats. They also assaulted her with fists and slaps. Arun Pamdey entered into his house and took away Rs. 50,000/- cash besides gold and silver ornaments from a box.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. It is case and counter case between the parties. Injuries on the part of accused have not been explained by the prosecution. The prosecution has not come with clean hands. Petitioner no. 2 is a lady.

On behalf of the State and informant, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. 14th Saran at Chapra, in connection with Garakha P.S. Case No. 333 of 2018,



subject to the conditions as laid down under Section 438(2) of the
Code of Criminal Procedure.

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(Sudhir Singh, J)

