

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12219 of 2018

Arising Out of PS. Case No.-324 Year-2017 Thana- NAUBATPUR District- Patna

-
1. Saloni Kumari, Daughter of Late Mrityunjay Sharma.
 2. Anju Devi, Wife of Late Mrityunjay Sharma.
 3. Mohit Kumar, Son of Late Mrityunjay Sharma, all resident of Village-Khajuri, P.S. Naubatpur, District-Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh

For the Opposite Party/s : Mr. SRI RAJENDRA PRASAD NAT

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 27-02-2018 Heard learned counsels for the petitioners and State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 354, 380, 448 and 504/34 of the IPC.

The prosecution case, as per Complaint Case No. 798C of 2017, filed by Kunti Devi on 04.08.2017, which came to be registered as Naubatpur P.S. Case No. 324 of 2017, after the complaint being transferred under Section 156(3) of the Cr. P.C., is to the effect that on 01.08.2017 at 2 PM, the informant was inside her house when the accused persons entered into her house armed with knife and they began abusing the informant and asked about the address and mobile number of informant's grand-son, namely, Amar Kumar and when the informant



expressed unwillingness, then petitioner nos. 1 and 3, assaulted the informant with the butt of the pistol and tore her saree and blouse. It is further alleged that the petitioners snatched gold chain and ring from the informant.

It is submitted by learned counsel for the petitioners that for the occurrence of 01.08.2017, the complaint was filed on 04.08.2017, which came to be registered as a police case on 16.10.2017. Neither any injury has been caused to the informant, nor is there any injury report on record. The petitioners' side at earlier point of time, on 10.07.2017, lodged Patna Mahila P.S. Case No. 42 of 2017 with accusation under Sections 376, 506/34 of the IPC against the informant's side wherein petitioner no.1 is the informant. Hence, as a retaliatory measure, the present case has been lodged. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

Learned counsel for the informant submits that the informant was assaulted and manhandled at the hands of the petitioners.

Considering the delayed lodging of the case and the case lodged the petitioners' side at earlier point of time, let the above named petitioners be released on anticipatory bail in the event of



arrest/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 like amount each to the satisfaction of learned ACJM, Danapur, Patna in connection with Naubatpur P.S. Case No. 324 of 2017, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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

