

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4087 of 2019

Arising Out of PS. Case No.-154 Year-2018 Thana- BAIRIYA District- West Champaran

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1. Lalsa Devi, Gender-Female, aged about 42 years, wife of Naresh Ram
 2. Om Prakash Ram, Gender-Male, aged about 23 years, son of Naresh Ram
 3. Narayan Ram, Gender-Male, aged about 62 years, son of Late Jhingur Ram
 4. Sudhan Ram, Gender-Male, aged about 50 years, son of Late Jhingur Ram
- All are Resident of Village- Thadhawanandpur, P.S.- Bairiya, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar No 7, Adv.
For the Opposite Party/s : Mr.Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 05-02-2019 Heard learned counsel for the petitioners and learned
APP representing the State.

Petitioners are seeking anticipatory bail in connection with Bairiya P.S. Case No. 154 of 2018 registered for the offences punishable under Sections 341, 323, 307, 354(B), 379, 504 and 506/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that there are altogether four petitioners in the present case. The petitioner no.1 has allegedly given a blow on the head of the informant and his son which caused injuries as shown in Annexure-2 which are simple in nature. It is submitted that so far as petitioner nos. 2, 3 and 4 are concerned, the allegations against



them are general and omnibus. Learned counsel submits that on perusal of the date of receipt of the information in the police station as disclosed in the F.I.R. it will appear that information with regard to the present occurrence was received in the police station only on 21.05.2018 whereas the occurrence is that of 16.05.2018. It is further pointed out that the petitioner no.1 is a lady and she has falsely been implicated in the case attributing the assault on the informant and his son to petitioner no.1. It is submitted that the nature of the injuries are minor and simple injuries which may be seen from the injury report itself. Both the parties are own gotias and are having land dispute.

Learned APP for the State is present and has opposed the prayer for bail.

Considering the facts and circumstances of the case wherein the submission is that there are general and omnibus allegations against the petitioner nos.2, 3 and 4 and that the allegation against petitioner no.1 is that of causing simply injury and she is a lady member of the family and it is a case of land dispute as also that the FIR has been registered five days after the alleged occurrence, this Court is willing to grant privilege of anticipatory bail to the petitioners. Let in case of arrest or surrender of the petitioners within a period of four weeks from



today, the abovenamed petitioners be enlarged on bail on furnishing bail bond of Rs.15,000/- (rupees fifteen thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, West Champaran at Bettiah in connection with Bairiya P.S. Case No. 154 of 2018, subject to the condition that petitioners shall join the investigation by reporting to the Investigating Officer within a period of two weeks from today and shall cooperate in course of investigation. This will be in addition to condition prescribed under Section 438(2) of the Cr.P.C.

(Rajeev Ranjan Prasad, J)

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