

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42779 of 2019

Arising Out of PS. Case No.-96 Year-2011 Thana- BANMANKHI District- Purnia

1. SITA DEVI Wife of Late Tej Narayan Yadav
2. Reeta Devi Wife of Subodh Yadav
3. Anjana Devi Daughter of Late Tej Narayan Yadav

All Resident of Village- Bariyahi, P.S.- Banmankhi, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Uday Singh

For the Opposite Party/s : Mr.Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 11-07-2019 The petitioners apprehend their arrest in connection with Banmankhi P. S. Case No. 96 of 2011 registered under Sections 147,148,149,302,307,323,324 and 341 of the Indian Penal Code.

Allegation against the petitioners is that the petitioners along with other accused persons assaulted the informant namely Musuk Lal Yadav and it has further been alleged that one Subodh Kumar @ Muft Lal Yada assaulted the son of the informant Manoj Kumar with *Farsa* who succumbed to injury.

Learned counsel for the petitioners submits that no specific allegation of assault on the person of son of the informant has been made against the petitioners and only general and omnibus allegation of assault to the informant with



danda has been made against the petitioners along with other accused persons. Learned counsel draws attention of this Court to Annexure-3, which is injury report of the informant, and from perusal of the same, it appears that injury caused to the informant is simple in nature. He submits that there is case and counter case in between the parties and there is previous land dispute between them and police, after investigation, has submitted final form against these petitioners and not sending them for trial, however, learned Magistrate differing with the final form, has taken cognizance against them also.

After having heard learned counsel for the parties and taking into consideration the fact that petitioners are women and the allegation levelled in the FIR is general and omnibus in nature against them and petitioners have allegedly assaulted to the informant with *lathi* and *danda* and the injury is simple in nature and also taking into consideration the fact that the police, after investigation, submitted final form against them, accordingly, I am inclined to grant anticipatory bail to the petitioners. Let the petitioners, above-named, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- each



with two sureties of the like amount each to the satisfaction of the learned C.J.M.-1st, I/C, Purnea in connection with Banmankhi P.S.Case No. 96 of 2011; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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