

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)  
CRIMINAL MISCELLANEOUS No.6267 of 2020**

Arising Out of PS. Case No.-60 Year-2019 Thana- JADOPUR District- Gopalganj

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1. CHANDRAMANI KUMAR @ CHANDRAMANI KUMAR SONI Son of Late Asharfi Sah Resident of Village- Babu Vishunpur, P.S.- Jadopur, Distt- Gopalganj
  2. Nilam Devi W/o Chandrama Soni Resident of Village- Babu Vishunpur, P.S.- Jadopur, Distt- Gopalganj.
  3. Basanti Devi W/o Late Asharfi Sah Resident of Village- Babu Vishunpur, P.S.- Jadopur, Distt- Gopalganj.

... .. Petitioners

Versus

1. THE STATE OF BIHAR
2. Rinku Devi W/o Chandramani Kumar @ Chandra Mani Kumar Soni, D/o Late Kanhaiya Prasad Sah At present R/o Village- Sher, P.S.- Singhwaliya, Distt- Gopalganj

... .. Opposite Party

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**Appearance :**

For the Petitioner/s : Mr.Bijay Prakash Singh, Advocate  
For the Opposite Party/s : Mr.Ramchandra Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD  
ORAL ORDER**

6      16-10-2020                      Heard learned counsel for the petitioner, Mr. Ramchandra Singh, learned APP for the State and Mr. Sushil Kumar, learned counsel who has entered appearance on behalf of the informant.

The petitioners in the present case are seeking pre-arrest bail in connection with Jadopur P.S. Case No. 60 of 2019 registered for the offences punishable under Sections 341, 323, 324, 447, 448, 494, 379, 34 of the Indian Penal Code.

As per the First Informant Report the informant who



is wife of the petitioner no. 1 was badly assaulted by all the accused persons. It is alleged that accused no. 1 assaulted the informant on her left hand by an iron rod and tried to kill her and it is alleged that when the witnesses assembled then somehow she could be saved. She enclosed her treatment/injury report while lodging the FIR.

Learned counsel submits that the alleged occurrence is said to have taken place on 05.12.2018 but the FIR has been lodged on 23.06.2019 and this is a case of matrimonial discord and nothing else.

On the other hand, learned APP for the State as well as learned counsel for the informant have jointly opposed the prayer for anticipatory bail of the petitioners. It is submitted that there is specific allegation against petitioner no. 1 and now the injury report has also been received which is available on the record and it shows that several injuries on the body of the informant, therefore the allegations made against the petitioners cannot be said to be false. Learned APP has further submitted that in course of investigation the informant has supported her case and there are witnesses who have said that occurrence is true.

Having regard to the facts and circumstances of the



case, there being specific allegation against petitioner no. 1 supported by injury report, this Court is not inclined to grant privilege of anticipatory bail to petitioner no. 1.

Prayer for anticipatory bail of petitioner no. 1 is, thus, refused.

In case, petitioner no. 1 surrenders and prays for regular bail in the court below within a period of four weeks from today, his prayer for regular bail shall be considered on it's own merit without being prejudiced by the order of this Court.

So far as petitioner no. 2 and 3 are concerned, although there are general allegation against them but the thrust of the allegations are against petitioner no. 1, therefore this court is inclined to grant privilege of anticipatory bail to petitioner no. 2 and 3, let the petitioner no. 2 and 3 above-named in the event of their arrest or surrender within a period of four weeks from today in connection with Jadopur P.S. Case No. 60 of 2019, be released on bail on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate - 1<sup>st</sup> Class, Gopalganj, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself



available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

And further condition that the court below shall verify the criminal antecedent of the petitioner no. 2 and 3 and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners.

**(Rajeev Ranjan Prasad, J)**

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

