

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24424 of 2020

Arising Out of PS. Case No.-42 Year-2020 Thana- MADHUBANI TOWN District-
Madhubani

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1. BHOLA MANDAL Son of Deo Narayan Mandal Resident of Muhalla-
Laheriyaganj, Ward No. 5, Madhubani, P.O. and P.S.- Madhubani, District-
Madhubani.
 2. Sulekha Devi Daughter of Bhola Mandal Resident of Muhalla-
Laheriyaganj, Ward No. 5, Madhubani, P.O. and P.S.- Madhubani, District-
Madhubani
 3. Dhano Devi Wife of Bhola Mandal Resident of Muhalla- Laheriyaganj,
Ward No. 5, Madhubani, P.O. and P.S.- Madhubani, District- Madhubani
 4. Damini Devi Wife of Triveni Mandal Resident of Muhalla- Laheriyaganj,
Ward No. 5, Madhubani, P.O. and P.S.- Madhubani, District- Madhubani
 5. Babita Kumari Daughter of Bhola Mandal Resident of Muhalla-
Laheriyaganj, Ward No. 5, Madhubani, P.O. and P.S.- Madhubani, District-
Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratanakar Jha, Adv.

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 06-10-2020 Heard Mr. Ratanakar Jha, learned counsel for the

petitioner and Mr. Pramod Kumar Pandey, Additional Public

Prosecutor for the state through video conferencing.

2. Petitioners apprehend their arrest in connection

with Madhubani PS Case No. 42/2020 registered for the offence

punishable under Sections 341, 323, 324, 307, 427, 506, 504,

354, 448/34 IPC and 37 (c) of the Bihar Prohibition and Excise

Act, 2016.

3. The allegation against the petitioners as per First



Information Report lodged by informant, Savitri Devi is that on 06.02.2020, the accused persons entered into her house, abused her and petitioner no.2, Sulekha Devi assaulted her by means of iron rod on her head and petitioner no. 3, Dhano Devi assaulted with wooden *danda (phatta)*, petitioner no. 4, Damini Devi assaulted by means of sickle on the head of informant's husband and petitioner no. 5, Babita Kumari tried to damage the motorcycle by brick.

4. Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case as informant and her family members are living in the house of petitioner no.1, Bhola Mandal as tenants and when the rent was demanded, the present case has been lodged against the petitioners. Learned counsel further submits that from perusal of Annexure-2 series, it would be evident that the injuries caused to the informant and that of her husband, have been found to be simple in nature. It has further been submitted that the co-accused Triveni Mandal was also assaulted who received injuries.

5. Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that the injuries caused to the informant and her



husband, are simple in nature, I am inclined to grant anticipatory bail to the petitioners.

6. Accordingly, petitioners, named above, shall be released on anticipatory bail, in the event of arrest or surrender within six weeks, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani in connection with Madhubani PS Case No. 42/2020, subject to the conditions as laid down under Section 438(2) CrPC.

7. It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

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