

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21947 of 2021

Arising Out of PS. Case No.-80 Year-2020 Thana- RAGHOPUR District- Vaishali

1. ARBIND RAI @ ARVIND RAI SON OF LATE RAM PRASAD RAI
RESIDENT OF VILLAGE- MOHANPUR, P.S. RAGHOPUR, DISTRICT-
VAISHALI.
2. DHANO DEVI WIFE OF ARVIND RAI RESIDENT OF VILLAGE-
MOHANPUR, P.S. RAGHOPUR, DISTRICT- VAISHALI.
3. MEENA DEVI WIFE OF SHIV RAI RESIDENT OF VILLAGE-
MOHANPUR, P.S. RAGHOPUR, DISTRICT- VAISHALI.

... .. Petitioners.

Versus

THE STATE OF BIHAR

... .. Opposite Party.

Appearance :

For the Petitioners	:	Mr. Arun Kumar Pandey, Advocate.
For the State	:	Mr. Ajay Kumar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 13-07-2021 At the very outset, learned counsel for the petitioners, through Video Conferencing, submits that the petitioner no.1, namely, Arbind Rai alias Arvind Rai, has already been arrested by the police in this case and seeks permission to withdraw this application in respect of the petitioner no.1, namely, Arbind Rai alias Arvind Rai.

Permission is accorded.

This application in respect of the petitioner no.1, namely, Arbind Rai alias Arvind Rai, is dismissed as withdrawn.

Now, only the prayer of the petitioner nos.2 and 3, namely, Dhano Devi and Meena Devi respectively, for grant of privilege of pre-arrest bail is being considered.



Heard learned counsel for the petitioner nos.2 and 3, above named, and the learned A.P.P. for the State, through Video Conferencing.

The petitioner nos.2 and 3, above named, apprehend their arrest in connection with Raghapur P.S. Case No.80 of 2020 registered under Sections 147, 341, 323, 504, 506, 307 and 324 of the Indian Penal Code.

The accusation is that due to land dispute, in the evening of 19.05.2020, 6 persons, named in the F.I.R., including the petitioner nos.2 and 3, came at the door of the informant Tetar Rai and started to abuse to the informant, his brother Bhulu Rai and his sister-in-law Sonia Devi. When the informant made protest, then Shiv Rai gave the lathi blow at Sonia Devi, the sister-in-law of the informant, causing injury on her head. Thereafter, Arjun Rai caused injury at the neck of Bhulu Rai, the brother of the informant, through iron rod. When the informant made intervention, then Birjasar alias Billa Rai and his mother Meena Devi (petitioner no.3) caught hold of his hand. In the meantime, Arbind Rai ordered his wife Dhano Devi (petitioner no.2) to bring Garasa and she handed over Garasa to Arbind Rai, who caused injury at the forehead of the informant. On the alarm being raised, the neighbours rushed and, thereafter, all fled away from there.

Learned counsel for the petitioner nos.2 and 3 submits that due to land dispute, the occurrence of “Maar-Peet” took place



between the male members of both the parties in which the side of the petitioner nos.2 and 3 also sustained injury regarding which on the basis of the fardbeyan of Arbind Rai, Raghapur P.S. Case No.74 of 2020 was also instituted against the prosecution party. Further submission is that while the petitioner nos.2 and 3 are named in the F.I.R. but no specific overt act is attributed to them. The petitioner nos.2 and 3 have no criminal antecedents.

Having considered the facts and the circumstances of the case, let the petitioner nos.2 and 3, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Vaishali, Hajipur, in connection with Raghapur P.S. Case No.80 of 2020, subject to the conditions laid down under Section 438(2) Cr.P.C.

Accordingly, this application stands disposed of.

(Rajendra Kumar Mishra, J)

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