

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28409 of 2021

Arising Out of PS. Case No.-105 Year-2020 Thana- RAJAON District- Banka

1. Manoj Prasad Singh, aged about 40 years, M, Son of Anandi Prasad Singh, Resident of Village- Sohli, P.S.- Rajoun, District- Banka.
2. Anandi Prasad Singh, aged about 60 years, M, Son of Late Chunchun Prasad Singh, Resident of Village- Sohli, P.S.- Rajoun, District- Banka.
3. Usha Devi, aged about 35 years, F, Wife of Manoj Prasad Singh, Resident of Village- Sohli, P.S.- Rajoun, District- Banka.
4. Nutan Devi, aged about 30 years, F, Wife of Sanoj Prasad Singh, Resident of Village- Sohli, P.S.- Rajoun, District- Banka.
5. Inarsani Devi @ Jaymanti Devi, aged about 54 years, F, Wife of Anandi Prasad Singh, Resident of Village- Sohli, P.S.- Rajoun, District- Banka.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Ranjan Kumar Jha, Advocate.
For the Opposite Party : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-07-2021 Learned counsel for the petitioners is directed to remove the defects, as pointed out by the office, within a period of four weeks from the date of restoration of normalcy.

Heard learned counsel for the petitioners and learned A.P.P. for the State through Virtual mode.

The petitioners are apprehending their arrest in a case for the offence registered under Sections 341, 323, 324, 325, 307, 379, 504 and 506/34 of the I.P.C.

The prosecution story, in brief, is that 24.01.2020,



these petitioners and one Sanoj Prasad Singh came and started abusing the informant Jhuna Devi as saying that her son damaged their pipe. On protest, the informant's husband Sunil Manjhi was assaulted by petitioner no. 2 with sickle causing bleeding injury on his head and while the son of the informant, namely, Gaurav Kumar, came to rescue him, he was also assaulted by co-accused Sanoj Prasad Singh with Khanti causing fracture injury on his hand. It is further alleged that petitioner no. 5 caught hold the informant, then petitioner nos. 3 and 4 assaulted the informant by fists and legs. During the assault, petitioner no. 3 snatched away golden ear-ring and petitioner no. 4 snatched away silver chain from possession of the informant.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. Nature of injury is said to be simple. The injury report is Annexure-2 to the present application. The date of occurrence is said to be 24.01.2020 and complaint case in respect of the same was filed on 05.03.2020. The entire prosecution is launched after thought. Petitioner nos.



3 to 5 are ladies.

On behalf of the learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on their personal bond to the satisfaction of the learned C.J.M., Banka, in connection with Rajoun P.S. Case No. 105/2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners shall furnish bail bonds of Rs. 10,000/-(Rupees Ten Thousand) only each with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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