

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No. 33911 of 2020**

Arising Out of PS Case No.-62 Year-2020 Thana- PAHARPUR District- East Champaran

1. Mina Devi, aged about 36 years, Female, wife of Duddi Ram @ Dugi Ram @ Satyadeo Ram.
  2. Sima Devi, aged about 25 years, Female, wife of Ranjit Ram.
  3. Manohar Devi, aged about 38 years, Female, wife of Nagina Ram.
  4. Sabita Devi, aged about 35 years, Female, wife of Ramayan Ram.
  5. Sarsita Devi @ Sarsila Devi, aged about 32 years, Female wife of Bikash Kumar.
- All are residents of village Kamal Pipara, PS Paharpur, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                      |   |                                    |
|----------------------|---|------------------------------------|
| For the Petitioner/s | : | Mr. Rajesh Ranjan, Advocate        |
| For the State        | : | Ms. Anita Kumari Singh, APP        |
| For the Informant    | : | Mr. Dhannjay Kumar No. 2, Advocate |

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN**  
**AMANULLAH**

**ORAL JUDGMENT**

**Date : 24-03-2021**

The matter has been heard *via* video conferencing.

2. Heard Mr. Rajesh Ranjan, learned counsel for the petitioners; Ms. Anita Kumari Singh, learned Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State and Mr. Dhannjay Kumar No. 2, learned counsel for the informant.

3. The petitioners apprehend arrest in connection with Paharpur PS Case No. 62 of 2020 dated 21.02.2020, instituted



under Sections 147, 148, 149, 341, 323, 324, 370, 302 and 504 of the Indian Penal Code.

4. The petitioners are ladies and along with other male members of the family are accused of assaulting the informant and specifically against the petitioners there is allegation of assaulting the wife and mother of the informant and also of taking away gold ornaments and household items worth Rs. 80,000/-. Further, as per the allegation, assault by the male members led to death of the father of the informant.

5. Learned counsel for the petitioners submitted that there is land dispute between the parties and the allegations are false, especially against the petitioners. It was submitted that the allegation of assault on the mother and wife of the informant by the petitioners is falsified by the fact that before the police when they gave their statement, they did not produce any material to show that they had to be treated by any doctor and further that they have also not stated with regard to them going to any hospital for treatment. It was submitted that the petitioners have no criminal antecedent.

6. Learned APP submitted that as per the FIR, the assault by the petitioners was on the wife and mother of the informant.



7. Learned counsel for the informant adopted the argument of learned APP. However, when the Court put a direct query to him with regard to their being no injury report produced in support of the allegation that the wife and mother of the informant were assaulted by the petitioners, learned counsel could not give any reply.

8. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of the concerned Magistrate, East Champaran, Motihari in Paharpur PS Case No. 62 of 2020, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 and further, (i) that one of the bailors shall be a close relative of the petitioners, (ii) that the petitioners and the bailors shall execute bond with regard to good behaviour of the petitioners and they shall co-operate with the police/prosecution and the Court. Any violation of the terms and conditions of the bonds or failure to cooperate shall lead to cancellation of their bail bonds.



9. It shall also be open for the prosecution to bring any violation of the foregoing conditions of bail by the petitioners, to the notice of the Court concerned, which shall take immediate action on the same after giving opportunity of hearing to the petitioners.

10. The application stands disposed off in the aforementioned terms.

**(Ahsanuddin Amanullah, J.)**

P. Kumar

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