

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2932 of 2021

Arising Out of PS. Case No.-180 Year-2020 Thana- AKBARPUR District- Nawada

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1. Seema Devi, W/o Ratan Yadav
 2. Sanni @ Sanni Kumar, S/o Ratan Yadav
 3. Rohit @ Rohit Kumar, S/o Ratan Yadav

All are R/o- Village-Nemdarganj, P.S.-Akbarpur, District-Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar, Adv.

For the Opposite Party/s : Mr. Amit Kumar Rakesh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 30-07-2021 Heard Mr. Bhavesh Kumar, the learned Advocate

for the petitioners and the learned APP for the State.

The petitioners seek bail in anticipation of their arrest in connection with Akbarpur P.S. Case No. 180 of 2020, instituted for the offences under Sections 341, 323, 308, 385 and 337/34 of the Indian Penal Code.

According to the F.I.R. lodged by the informant,



who is a P.D.S. Dealer, the petitioners and others assaulted him because they were demanding food-grains without presenting their ration cards.

It has been submitted on behalf of the petitioners that the accusation in the F.I.R. is absolutely vague and is couched in general and omnibus terms. No weapon has been attributed to any one of the petitioners.

The petitioner No. 1 is the mother of petitioner Nos. 2 and 3. The subject F.I.R. has been lodged against them only because they had been complaining in the past about the whimsical handling of public distribution shop by the informant. Though the informant has received an injury on his hand but such injury, it has been argued, may have been caused in a different transaction and taking advantage of such injury, this false case has been instituted.

The learned counsel for the petitioner, therefore, submits that from the background facts, at best, it would appear to be a dispute between a P.D.S. dealer and few of the beneficiaries of the Public Distribution System. There could not have any intention on the part of the petitioners to



have inflicted any injury on the informant which would be life threatening.

Regard being had to the facts afore-stated and taking into account that the petitioners are persons of clean antecedents, they, in the event of their arrest or surrender before the learned Court below within a period of eight weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in connection with Akbarpur P.S. Case No. 180 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

Praveen-II/-

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