

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.610 of 2021

Arising Out of PS. Case No.-55 Year-2020 Thana- RAJEPUR District- East Champaran

1. PRIYANKA KUMARI Daughter of Radha Kishun Prasad Resident of Village-Tajpur Saraiya, P.S.-Rajepur, District-East Champaran
2. Manju Kumari Daughter of Radha Kishun Prasad Resident of Village-Tajpur Saraiya, P.S.-Rajepur, District-East Champaran
3. Dhanmanti Devi @ Sangeeta Devi Wife of Radha Kishun Prasad Resident of Village-Tajpur Saraiya, P.S.-Rajepur, District-East Champaran
4. Jitlal Kumar Son of Suryadeo Prasad Resident of Village-Tajpur Saraiya, P.S.-Rajepur, District-East Champaran

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate
For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, A.P.P

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

ORAL ORDER

2 24-08-2021 As prayed for, let the learned counsel appearing for the petitioners remove the defect(s), as pointed out by the office vide its notes dated 01.01.2021, within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioners and the learned A.P.P. for the State through video conferencing.

The petitioners apprehend their arrest in connection with Rajepur P.S. Case no. 55 of 2020, registered under Sections 341, 323, 325, 307, 379 and 504/34 of the Indian Penal Code.

The accusation is that on 02.05.2020 informant Ramanand Prasad was at his SBL office situated in his house, where the vehicles of the customers were parked over the



government land. In the meantime, his neighbour Radha Kishun Prasad, Dhanmanti Devi (Petitioner No.3), Manju Kumari (Petitioner No.2), Priyanka Kumari (Petitioner No.1), Sunil Kumar, Subodh Kumar and Jitlal Kumar (Petitioner No.4) came and started to abuse. At that time, Sunil Kumar and Jitlal Kumar (Petitioner No.4) caused injury at his forehead in which he sustained injury and fell down. On raising alarm, Dipak Kumar, son of informant, rushed to save then he also sustained fracture injury at his left hand. At that time, Radha Kishun Prasad and Subodh Kumar entered in the house and took out Rs. 1,40,000/- from the office.

Learned counsel for the petitioners submits that petitioner Nos. 1 to 3 are ladies and they have falsely been implicated in this case without any overt act. Further submission is that the allegation has been made against the Sunil Kumar and Jitlal Kumar (Petitioner No.4) of causing injury to the informant. Out of four injuries only injury No.1 i.e. sharp cut 2.5"x1/4"x1/4" on right parietal bone, is said to be grievous in nature.

Having regard to the facts and circumstances of the case, let the petitioner Nos. 1, 2 and 3, namely, Priyanka Kumari, Manju Kumari and Dhanmanti Devi @ Sangeeta Devi be released



on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Sadar East Champaran at Motihari in connection with Rajepur P.S. Case No. 55 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

So far as pre-arrest bail of petitioner No.4, namely, Jitlal Kumar is concerned, having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant pre-arrest bail to the petitioner. Accordingly, his prayer for grant of pre-arrest bail stands **rejected**. The petitioner No.4 Jitlal Kumar is directed to surrender before the trial Court within four weeks and pray for regular bail, which shall be considered by the trial Court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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