

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2966 of 2022

Arising Out of PS. Case No.-602 Year-2020 Thana- AHIYAPUR District- Muzaffarpur

1. NILAM DEVI @ LILAM DEVI Wife of Sri Arvind Kumar @ Arbind Kumar Thakur Resident of Village Bathna , P.S. - Ahiyapur, District - Muzaffarpur.
2. Manoranjan Kumar Son of Sri Arvind Kumar @ Arbind Kumar Thakur Resident of Village Bathna , P.S. - Ahiyapur, District - Muzaffarpur.
3. Arvind Kumar Thakur @ Arvind Kumar Son of Late Ram Swarath Thakur Resident of Village Bathna , P.S. - Ahiyapur, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Advocate
Mr. Ritwik Thakur, Advocate
For the Opposite Party/s : Mr. Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-08-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 307, 354, 379, 504, 506 and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that petitioner nos. 1 and 2 are persons with clean antecedent and petitioner no. 3 has antecedent of one case and the informant alleges that on account of dispute relating to passage, the occurrence took place and it is alleged that Arbind Kumar disrobed the informant and Manoranjan and Chaitan Kumar



assaulted her son who came to rescue her by an iron rod causing injury on head.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case, it is next submitted that even the FIR does not disclose any reason or motive for the occurrence, it is further submitted that from the side of the petitioner Ahiyapur P.S. Case No. 601 of 2020 was instituted against the informant and other in which four persons were injured from the side of the petitioner and three persons had injuries on head, it is next submitted that the assault was such that Arbind Kumar received injuries on head and lost consciousness, who is petitioner no. 3 in the present case and was treated at SKMCH, but still is alleged to have disrobed the informant, similarly Manoranjan Kumar (petitioner no. 2) also received injury on his head (Annexure-3 series to the anticipatory bail application). The learned counsel next submits that as far as petitioner no. 1 is concerned, she has been made an accused only because she is wife of Arbind Kumar. The learned counsel next submits that admittedly petitioners are not criminals and on account of trivial issue i.e., relating to passage, the present occurrence took place.

Learned A.P.P. for the State opposes the prayer for



anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Ahiyapur P.S. Case No. 602 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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