

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3965 of 2022

Arising Out of PS. Case No.-121 Year-2021 Thana- DORIGANJ District- Saran

1. REKHA DEVI W/O GAUTAM SAH R/o village- Doriganj Khawashpur, P.S.- Doriganj, District- Saran at Chapra
2. Bittu Kumar S/o Gautam Sah R/o village- Doriganj Khawashpur, P.S.- Doriganj, District- Saran at Chapra
3. Rajan Kumar S/o Kanhaya Sah R/o village- Doriganj Khawashpur, P.S.- Doriganj, District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Nawal Kishore Singh, Advocate
For the Opposite Party/s	:	Mr.Binod Kumar, APP
For the Informant	:	Mr.Arvind Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-08-2022 Heard learned counsel for the petitioners, learned counsel for the informant 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, 324, 307, 354, 504 and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioner no.1 has antecedent of one case but inadvertently the same could not be stated in the anticipatory bail application for want of proper instruction at the time of filing of the case and petitioner nos. 2 and 3 are persons with clean antecedent and the informant alleges that on 06.06.2021 at 2:00 p.m. when she was



at her home, the accused persons including the petitioners came to her house and Vishal Kumar started outraging her modesty and when she objected, all of them started assaulting her with rod and when her husband intervened, Vishal assaulted him with *farsa* on head causing injury and Bittu Kumar snatched golden chain from the informant's neck.

Learned counsel for the petitioners submits that from bare perusal of the allegations as alleged in the F.I.R. it would manifest that allegations of assault and abuse is general and omnibus in nature and specific allegation of assault is against Vishal of assaulting the husband of the informant and as far as snatching of chain is concerned, the said allegation is ornamental in nature. It is next submitted that the injury suffered by the husband of the informant is grievous and the injury suffered by the informant is simple in nature. Learned counsel next submits that the present occurrence took place on account of previous dispute but the informant very wisely has not mentioned what kind of dispute was prevailing between the parties.

Learned A.P.P. for the State and the learned counsel for the informant oppose the prayer for anticipatory bail of the petitioners but are not able to meet the submissions of the



learned counsel for the petitioners that the injuries suffered by informant are simple in nature and specific allegation of assault on the husband of the informant is against Vishal.

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 Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Doriganj P.S. Case No. 121 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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