

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15486 of 2021**

Arising Out of PS. Case No.-335 Year-2020 Thana- BELHAR District- Banka

1. BHARAT LAL PANDIT S/o Late Nand Kishore Pandit R/o village- Bahjora, P.S.- Belhar, District- Banka.
2. Sarita Devi W/o Bharat Lal Pandit, R/o village- Bahjora, P.S.- Belhar, District- Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Md. Nurul Hoda
		Mr. Satish Chandra Mishra
For the Opposite Party/s	:	Mr. Md. Iftekhar Mahmood

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 01-04-2022 The learned counsel for the petitioners is directed to remove all the defects pointed out by the office within one month.

Heard the learned counsel for the petitioners as well as the learned Additional Public Prosecutor for the State through video conferencing.

At the very outset, the learned counsel for the petitioners has submitted that during the pendency of this criminal miscellaneous petition, petitioner no. 1 has been arrested, as such, this criminal miscellaneous petition has become infructuous with respect to him.

In view of above submission, this criminal



miscellaneous petition is **dismissed as infructuous with respect to petitioner no. 1.**

So far as petitioner no. 2 is concerned, she apprehends her arrest in connection with Belhar P.S. Case No. 335 of 2020 registered for offence punishable under sections 341, 323, 324, 325, 307, 379, 504, 506/34 of the Indian Penal Code.

As per allegation, the accused persons removed demarcation stone of the field and badly assaulted the informant, her husband and her son. The allegation against the petitioner no. 2 is that she assaulted the husband of the informant with lathi on his hand.

The learned counsel for the petitioners has submitted that there is land dispute between the parties and for the same day occurrence, petitioner no. 2 has also lodged a case against the informant side, which is Belhar P.S. Case No.336/2020.

The injury report of petitioner no. 2 as well as the husband of the informant has been annexed with the record, which shows that both of them have sustained injuries. The injury, sustained by the husband of the informant, is simple in nature.

Considering the above-mentioned facts and circumstances, let **petitioner no 2**, in the event of her arrest or



surrender, within four weeks from today, **be released on bail** on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Belhar P.S. Case No. 335 of 2020, subject to condition as laid down under section 438(2) Cr. P.C.

Office shall ensure that all defects are removed by the petitioners within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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