

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11048 of 2022

Arising Out of PS. Case No.-140 Year-2021 Thana- AANDAR District- Siwan

1. Awadhesh Pandit @ Awadhesh Kumar Pandit S/O Late Ram Bilash Pandit R/O Village- Banthu Salona, P.O.- Banthu Shri Ram, P.S.- Andar, District- Siwan
2. Gyanti Devi W/O Awadhesh Pandit @ Awadhesh Kumar Pandit R/O Village- Banthu Salona, P.O.- Banthu Shri Ram, P.S.- Andar, District- Siwan
3. Shatrudhan Pandit @ Satrudhan Pandit S/O Awadhesh Pandit @ Awadhesh Kumar Pandit R/O Village- Banthu Salona, P.O.- Banthu Shri Ram, P.S.- Andar, District- Siwan

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akshay Lal Pandit- Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-09-2022 Heard learned counsel for the petitioners and the learned APP for the State.

The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 341, 323, 307, 325, 354, 504/ 34 of the Indian Penal Code.

The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that on 06.08.2021 at about 6.00 P.M. when she went out of her house for bringing water from the tap when suddenly accused persons caught and slammed her. It is next alleged that on hearing alarm, her father came to her rescue, but



the accused persons assaulted the informant and her father with lathi causing fracture on hand of both the informant and her father. It is also alleged that while fleeing, the petitioner no.2 slipped causing injury on her head.

The learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case. It is next submitted that petitioner no.1 is husband of petitioner no.2 and father of petitioner no.3, as such, the entire family members have been implicated. It is next submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that no reason for the occurrence is alleged. It is also submitted that from the side of the informant, assault was made causing injury to petitioner no.2, but the informant very wisely in his F.I.R. alleges that petitioner no.2 slipped causing injury on her head. The learned counsel next submits that as far as informant is concerned, her injury is simple and one of the injuries of the father of the informant is grievous as would be evident from Annexure-3 to the anticipatory bail application which is on the right and left forearm which are not vital part of the body which amply demonstrates that the petitioners never had any intention of committing a serious offence.

The learned Additional Public Prosecutor opposes the



anticipatory bail application.

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, 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 Court below where the case is pending in connection with Aandar P. S. Case No.140 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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