

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13401 of 2022

Arising Out of PS. Case No.-658 Year-2021 Thana- HISUWA District- Nawada

1. KIRAN DEVI Wife of Bhola Ram Resident of Village - Bich Bazar, P.S. - Hisua, District - Nawada.
2. BHOLA RAM Son of Tulshi Ram Resident of Village - Bich Bazar, P.S. - Hisua, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Man Mohan Kumar, Advocate
For the Opposite Party/s	:	Mr.Atul Chandra, APP
For the Informant	:	Mr.Sarvendra Kumar Verma, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-09-2022 Heard learned counsel for the petitioners, learned counsel for the informant and learned A.P.P. for the State through virtual Court proceedings.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 307, 427, 379 and 34 of the Indian Penal Code.

The informant alleges that on 18.11.2021 at about 1:00 pm, her husband was at his shop when the five named accused persons, including the petitioners, came and started abusing him and asked him to shut down his stop, thereafter it is alleged that Manish, Vikash, Prakash assaulted her husband with an iron rod, *gandasa* and sharp glass, further Vikash assaulted



him with *gandasa* causing injury on his head and he became unconscious. It is next alleged that the accused persons caught the informant's daughter and slammed her with an intention to outrage her modesty and even recorded the occurrence and tried to cut hand of informant's daughter with a glass, further Manish, Vikash, Prakash and petitioner no.2 assaulted the informant's nephew on his head causing injury and petitioner no.1 along with other accused looted Rs. 95,000/- from the informant's shop.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and have been falsely implicated in the present case and on account of business rivalry, the present occurrence took place, it is next submitted that no doubt one of the injuries suffered by the injured i.e., the nephew of the informant is grievous in nature but then specific allegation of assault is against Manish, Vikash and Prakash. Learned counsel further submits that the petitioners are father and mother of the aforesaid accused persons and as such they also came to be implicated with ornamental allegations of assault and looting Rs. 95,000/-.

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 specific allegation of assault is against the named accused persons and as far as these petitioners are concerned, against them the allegations are general, omnibus and ornamental in nature.

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. 10,000/- (Rupees Ten 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 Hisua P.S. Case No. 658 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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