

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16789 of 2022

Arising Out of PS. Case No.-288 Year-2021 Thana- RAJPUR District- Buxar

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1. Kusum Devi, Wife Of Shri Vishwamitra Singh Resident Of Village - Hethua, P.S.- Rajpur, District - Buxar (Bihar).
 2. Hari Bhushan Singh, Son Of Shri Vishwamitra Singh Resident Of Village - Hethua, P.S.- Rajpur, District - Buxar (Bihar).

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan

For the Opposite Party/s : Mr. Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-06-2022 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, 447, 323, 307, 504 and 506/ 34 of the Indian Penal Code.

The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and petitioner no.1 is a lady and is mother of petitioner no.2 and the informant alleges that on instigation of Vishwamitra Singh, the petitioner no.2 assaulted on the head of Vinay Prasad Singh (informant) with an axe, which was given to him by the petitioner no.1.

The learned counsel for the petitioners submits that



petitioner no.1 is own aunt of the informant and petitioner no.2 is his mausi and admittedly, there is a land dispute between the parties and petitioner no.2 is a railway employee. It is next submitted that petitioner no.2 after taking leave had come to his house for seeing a girl for marriage, but the informant raised the dispute relating to land on which, the present occurrence took place in which both side got injured. It is next submitted that from bare perusal of the impugned order, it would manifest that the same records that though the some of the injuries are on vital part of the body, but then all the injuries are simple. It is next submitted that it is alleged that the informant was assaulted by axe, but the nature of injury reflects that the same was caused by hard and blunt substance.

The learned Additional Public Prosecutor opposes the anticipatory bail application.

Considering the submissions made by the learned counsel for the petitioners and the fact that petitioner is a government servant and petitioner no.1 is a lady against whom, general and omnibus allegations are alleged, 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 Rajpur P. S. Case No.288 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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