

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21806 of 2022

Arising Out of PS. Case No.-2 Year-2022 Thana- BASOPATTI District- Madhubani

1. SUKUMARI DEVI Wife of Gangai Mandal Resident of village - Jaso, P.S.- Basopatti, District - Madhubani
2. Vinde Das @ Vindeshwar Das Son of Nathuni Das Resident of village - Jaso, P.S.- Basopatti, District - Madhubani
3. Yogendra Mandal @ Bhogendra Mandal Son of Arjun Mandal Resident of village - Jaso, P.S.- Basopatti, District - Madhubani
4. Rajendra Mandal Son of Nirdhan Mandal Resident of village - Jaso, P.S.- Basopatti, District - Madhubani
5. Vinod Kumar Mandal @ Vinod Mandal Son of Ramjugut Mandal Resident of village - Jaso, P.S.- Basopatti, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Udbhav, Advocate
For the Opposite Party/s :	Mr. Surendra Prasad Singh, APP
For the Informant :	Mr. Shambhu Kumar Suman, Advocate
	Mr. Mukes Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-11-2022 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 323, 341, 379, 354(B), 307, 504, 506 and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent, petitioner no.1 is a woman and the informant alleges that Nagendra Mandal lost as *Mukhia* in the *Panchayat* election and after that he along with



other accused persons threatened to kill her husband, it is next alleged that on 29.12.2021 at about 7:00 in the evening while she was in her house, all the accused persons came and started abusing, it is next alleged that on protest, Nagendra Mandal caught her and tried to outrage her modesty and tore her clothes and when her son came to save her, he was assaulted with *farsa* causing injury on head, thereafter Abhinay assaulted Rishikesh with *dabiya* on head causing injury, Sanjeev Mandal snatched Rs. 6,500/- and Sukumari Devi snatched her *mangalsutra* and when her husband came to her rescue, he was also assaulted.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case, it is next submitted that from perusal of the allegations as alleged in the FIR it would manifest that the informant has specifically alleged that as to who assaulted whom and where. It is further submitted that as far as these petitioners are concerned, the allegations against them are general and omnibus in nature i.e., no specific allegation of assault is alleged against them, it is also submitted that a case from the side of the petitioner being Basopatti P.S. Case No. 3 of 2022 has been instituted and Sukumari Devi (petitioner no.1) who has been made an accused in the present case, suffered grievous injury on account of



assault made by the side of the present informant.

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 submission of the learned counsel for the petitioners that the allegations against the petitioners are general and omnibus 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 Basopatti P.S. Case No. 02 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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