

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33287 of 2021

Arising Out of PS. Case No.-290 Year-2020 Thana- MOTIPUR District- Muzaffarpur

1. Meena Devi W/O Late Monindra Rai R/O Village-Nagar Panchayat Ward No.12, Sardha Dambhar, P.S-Motipur, District-Muzaffarpur.
2. Archana Kumari D/O Monindra Rai R/O Village-Nagar Panchayat Ward No.12, Sardha Dambhar, P.S-Motipur, District-Muzaffarpur.
3. Abhimanyu Kumar S/O Monindra Rai R/O Village-Nagar Panchayat Ward No.12, Sardha Dambhar, P.S-Motipur, District-Muzaffarpur.

... .. Petitioner/s

Versus

1. The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

- 2 09-06-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Section 341, 323, 324, 307 and 504/34 of the Indian Penal Code.

As per prosecution, in short, is that on 21.11.2020 informant had gone to his *Sasural* for *Bidagari* ceremony of his



wife Archana Kumari. It is alleged by the informant that he had given Rs. 2,00,000/- to his mother-in-law for the construction of her house about one year ago and when he demanded money from his mother-in-law Meena Devi, his own wife Archana Kumari and his brother-in-law Abhimanyu Kumar started beating him. It is alleged by the informant that accused Abhimanyu Kumar stabbed the informant on his back with knife causing bleeding from his back. It is further alleged that mother-in-law and his wife beat the informant with iron-rod and they were shouting to kill the informant. Informant was saved by the neighbours and was taken to hospital.

Learned counsel for the petitioners submits that the petitioners have clean antecedents and they have been falsely implicated in the present case. In fact, the petitioner no. 1 is the mother-in-law, petitioner no. 2 is the wife and petitioner no. 3 is the brother-in-law of the informant. He further submits that the allegation as alleged in the F.I.R. does not support the injury report. Doctor has examined the informant and found all the injuries are simple in nature.

Learned APP for the State has opposed the prayer for bail of the petitioners.

Considering the facts and circumstances of the case,



let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond 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 Motipur P.S. Case No. 290 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions :-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for



cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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