

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35139 of 2021

Arising Out of PS. Case No.-285 Year-2020 Thana- DAUDPUR District- Saran

1. MUNNI DEVI W/o Jitendra Rai R/o Village-Lejuar, P.S.-Daudpur, Distt.-Saran.
2. Phuljhari Devi W/o Yogendra Rai R/o Village-Lejuar, P.S.-Daudpur, Distt.-Saran.
3. Nirmala Devi W/o Dharmendra Rai R/o Village-Lejuar, P.S.-Daudpur, Distt.-Saran.
4. Yogendra Rai S/o Late Deo Ballam Rai R/o Village-Lejuar, P.S.-Daudpur, Distt.-Saran.
5. Dharmendra Rai S/o Yogendra Rai R/o Village-Lejuar, P.S.-Daudpur, Distt.-Saran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh, Advocate
For the Opposite Party/s : Mr.Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-06-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Learned counsel for the petitioner, at the outset, submits that petitioner no.4 (Yogendra Rai) has been arrested during the pendency of the anticipatory bail application as such seeks permission to withdraw the anticipatory bail application with respect to him.

Permission is accorded.

The petitioners apprehend their arrest in a case



registered for the offences punishable under Sections 341, 323, 324, 307, 379, 354, 504, 506, 447 and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that on 29.11.2020, the informant was at her house when on account of land dispute, the accused persons, including the petitioners, came and started abusing her and also called her witch and when the informant objected, Yogendra Rai assaulted her with *farsa* and other accused persons assaulted her with rod and when her son Dhanu came to save her, it is alleged that Yogendra Rai assaulted over his neck causing abrasion over his left ear which led to bleeding.

Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in the present case, petitioner nos. 1, 2 and 3 are women and no specific overt act has been alleged against them rather the allegation of assault is general and omnibus in nature and as far as specific allegation of assault is concerned, the same is alleged against Yogendra Rai who was arrested during the pendency of the present anticipatory bail application.

Learned A.P.P. for the State opposes the prayer for



anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners and also the fact that the allegation of assault against the petitioner nos. 1, 2, 3 and 5 are general and omnibus in nature, the petitioner nos. 1, 2, 3 and 5, 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 Daudpur P.S. Case No. 285 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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