

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30620 of 2022

Arising Out of PS. Case No.-134 Year-2020 Thana- TARARI District- Bhojpur

1. SHILA DEVI W/O SHRIRAM PANDEY RESIDENT OF VILLAGE- BHAKURA , P.S- TARARI, DIST- BHOJPUR.
2. OM PRAKASH PANDEY SON OF SARYU PANDEY RESIDENT OF VILLAGE - BHAKURA , P.S- TARARI, DIST- BHOJPUR.
3. RAJ KUMARI DEVI @ RAK KUMARI DEVI W/O BRIJAVIHARI PANDEY RESIDENT OF VILLAGE- BHAKURA, P.S- TARARI, DIST- BHOJPUR.
4. MANTI DEVI W/O SURENDRA PANDEY RESIDENT OF VILLAGE- BHAKURA, P.S- TARARI , DIST- BHOJPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rama Kant Singh
For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-09-2022 Heard both sides.

The petitioners apprehend their arrest in connection with Tarari P.S. Case No.134 of 2020, registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 327, 379, 504 and 506 of the Indian Penal Code as well as under Section 27 of the Arms Act.

Petitioner No.2 along with other accused persons are said to have come to the field of the informant. On instigation of Hridayanand Pandey, Shriram Pandey and Surendra Pandey fired upon the informant. When nearby people came at the spot, the



accused persons fled away making firing. After sometime, petitioners no.1, 3 and 4, namely, Manti Devi, Shila Devi and Raj Kumari Devi entered into the house of the informant and assaulted the mother of the informant by means of danda and Manti Devi snatched mobile phone from the daughter of the informant and earring made of gold from the niece of the informant.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. It is submitted that the petitioners have got no criminal antecedent as stated in paragraph-3 of the bail application. It is further submitted that there is property dispute between the parties and against the order passed in mutation case, the informant side has filed Mutation Appeal and the same is pending before the D.C.L.R., Piro. It is submitted that no cartridge has been recovered from the place of occurrence and the injuries sustained by the injured persons are simple in nature.

The learned APP for the State opposed the prayer for anticipatory bail of the petitioners.

Considering the fact that the injuries are simple in nature and there is land dispute between the parties, let



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 enlarged on bail on furnishing bail bonds of Rs.25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Bhojpur, Ara in connection with Tarari P.S. Case No.134 of 2020, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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