

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35537 of 2022

Arising Out of PS. Case No.-247 Year-2016 Thana- PAHARPUR District- East Champaran

1. Sakalldhari Ram Son Of Late Ganga Ram R/O Village-Kamal Pipra, P.S.- Paharpur, District- East Champaran At Motihari
2. Meena Devi Wife Of Sattandeo Ram R/O Village-Kamal Pipra, P.S.- Paharpur, District- East Champaran At Motihari
3. Seema Devi Wife Of Ranjeet Ram R/O Village-Kamal Pipra, P.S.- Paharpur, District- East Champaran At Motihari
4. Mamta Kumari D/O Sattandeo Ram R/O Village-Kamal Pipra, P.S.- Paharpur, District- East Champaran At Motihari
5. Geeta Kumari D/O- Sattandeo Ram R/O Village-Kamal Pipra, P.S.- Paharpur, District- East Champaran At Motihari

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar, Advocate

For the Opposite Party/s : Mr.Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 27-09-2022 Heard the parties.

Learned counsel for the petitioners undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioners apprehend their arrest in a case registered



for the offence punishable under sections 147, 149, 341, 323, 324, 307, 379, 504 of the Indian Penal Code.

Allegedly, when the informant along with his family members were at their door, then all the accused persons named in the First Information Report including these petitioners came there and started abusing and started destroying the fence situated behind the house of the informant and on protest they became angry and attacked on the informant's family. Accused Satandeo Ram @ Dugee Ram gave Farsa blow on the head of the informant and after sustaining injury the informant fell down and rest accused persons and accused Meena Devi snatched gold chain (Tawak) from the neck of the informant's wife Rinky Devi worth Rs. 25,000/- The accused persons further assaulted the informant's father and brothers. From the injury report of the informant Arun Kumar, which is available with the case diary, it appears that he had sustained three injuries, i.e. (1) Lacerated wound on head, (2) Pain and Swelling over right side of the hand and (3) Pin point wound on left leg just above the ankle, all simple in nature and caused by hard and blunt substance.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They has been falsely implicated in this case. No such



occurrence, in the manner as alleged, has ever taken place. Learned counsel for the petitioners further submits that the petitioner no. 1 is of the 80 years and petitioner nos. 2 to 5 are female. Learned counsel for the petitioners further submits that there is general and omnibus allegation against the petitioners. There is no specific allegation of the petitioners. The specific overt act against the co-accused namely Satandeo Ram @ Dugee Ram who assaulted the informant by Pharsa blow on the head of the informant. Petitioner no. 1 has got clean antecedent and petitioner nos. 2 to 5 accused in another case in which they are on bail.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case and materials available on record, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in Paharpur P.S. Case No. 247 of 2016, subject to the conditions as laid down under Section 438(2) of



the Cr.P.C.

(Anjani Kumar Sharan, J)

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