

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48426 of 2022

Arising Out of PS. Case No.-125 Year-2020 Thana- NAUHATTA District- Saharsa

1. Sangita Devi W/O Jagarnath Mistri Resident Of Village - Shahpur Ward No. 8, P.S.- Nauhatta, District - Saharsa.
2. Laxmi Kumari D/O Satya Narayan Mistri Resident Of Village - Shahpur Ward No. 8, P.S.- Nauhatta, District - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarnath Jha

For the Opposite Party/s : Mr.Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 15-12-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Nauhatta P.S. Case no. 125 of 2020 instituted for the offence under Sections 341, 323, 307, 504, 34 of the Indian Penal Code and later added section 302 of IPC.

The prosecution story is that when the FIR named accused persons were fixing the bamboo stake in his land, the informant objected thereafter they started assaulting to the informant by means of farsa. When the family member of informant came to save him, they also assaulted them due to



which the informant's father sustained injury and sent for Primary Health Center from where he was referred to Sadar Hospital, Saharsa and during course of treatment father of informant succumbed to injury.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have got no criminal antecedent. They have falsely been implicated in this case. It is further submitted that these petitioners are not named in FIR and later on, during course of investigation their name came into light in this case. There is no specific allegation of assaulting against these petitioners. Similarly situated several co-accused persons have already been granted bail by a co-ordinate bench of this court vide order dated 06.01.2022 in Cr. Misc. No. 17951 of 2021.

Learned APP appearing for the state has opposed the prayer of anticipatory bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Nauhatta P.S. Case no. 125 of



2020, they will be enlarged 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 Judicial Magistrate 1st Class, Saharsa subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

amandeep/-

U		T	
---	--	---	--

